

Cedar City

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Mayor
Maile L. Wilson

Council Members
Ronald R. Adams
John Black
Paul Cozzens
Don Marchant
Fred C Rowley

City Manager
Rick Holman

CITY COUNCIL WORK MEETING
AUGUST 6, 2014
IMMEDIATELY FOLLOWING THE RDA MEETING

The City Council meeting will be held in the Council Chambers at the City Office, 10 North Main Street, Cedar City, Utah. The agenda will consist of the following items:

I. Call to Order

II. Business Agenda
Public

1. Consider a Single Event Permit for a beer garden on August 23, 2014 – Cedar City Elks
2. Consider recommended allocations for FY 2014-2015 RAP Tax (Arts) – Paul Bittmenn
3. Consider recommended allocations for FY 2014-2015 RAP Tax (Parks & Recreation) – Paul Bittmenn

Staff

4. Consider RFP's for audit engagement services for fiscal years 2014-2016 – Jason Norris
5. Consider bids for the Cedar City fencing project located at Quichapa Well #5, Quichapa Well #6, Cedar Canyon Water Tank, and South Interchange Trail – Jonathan Stathis
6. Consider FAA Airport improvement project AIP-28 grant agreement – Russ Volk
7. Consider declaring as surplus property for public auction three vehicles currently owned by the Iron/Garfield/Beaver Narcotic Task Force – Chief Allinson
8. Consider a no parking zone on the south side of Cross Hollows Road west of the entrance to Wal-Mart – Chief Allinson
9. Consider cooperative agreement with Deseret Industries – Dan Rodgerson
10. Consider disposing of City property – one parcel at the southwest corner of U-56 and Cross Hollow Road and one parcel at Airport Circle – Rick Holman
11. Discuss extending the existing impact fee rates – John Black

Dated this 14th day of August, 2014.


Renon Savage, CMC
City Recorder

CERTIFICATE OF DELIVERY:

The undersigned duly appointed and acting recorder for the municipality of Cedar City, Utah, hereby certifies that a copy of the foregoing Notice of Agenda was delivered to the Daily News, and each member of the governing body this 4th day of August, 2014.


Renon Savage, CMC
City Recorder

Cedar City Corporation does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in accessing, understanding or participating in the meeting, please notify the City not later than the day before the meeting and we will try to provide whatever assistance may be required.

CEDAR CITY CORPORATION

SINGLE EVENT PERMIT APPLICATION

APPLICANT: Please spell out the information requested below. A \$50.00 fee is due and payable at the time of submitting the application. (Said fee is refundable if a permit is not granted.)

SECTION I

NAME: Elks Lodge

ADDRESS: 111 E 200 N

PHONE NUMBER: (435) 586-8332 NAME OF ENTITY: Elks Lodge

PURPOSE OF ENTITY: _____

TYPE OF EVENT: Horseshoe Tournament

CASH OR SURETY BOND FOR \$1,000 _____

TIME AND DATE OF EVENT: Aug 23, 2014

NATURE AND PURPOSE OF EVENT: Charity horseshoe
tournament

SECTION II

DESCRIBE THE FLOOR PLAN DESIGNATING:

(A) THE AREA IN WHICH THE APPLICANT PROPOSES THAT BEER BE STORED:

North East ~~cor~~ parking lot

(B) THE SITE FROM WHICH THE APPLICANT PROPOSES THAT BEER BE SOLD

OR SERVED: North East corner of parking lot ;

(C) THE AREA IN WHICH THE APPLICANT PROPOSES THAT THE BEER BE

ALLOWED TO BE CONSUMED: Parking lot near pits

SECTION III

WE HEREBY CONSENT TO CITY OFFICIALS HAVING THE UNRESTRICTED RIGHT TO ENTER THE PREMISES TO ENTER THE EVENT FOR PURPOSES OF ENFORCEMENT.

DATE: 8/4/14

SIGNATURE:

Candace Homes
APPLICANT

I HEREBY VERIFY THAT I AM AUTHORIZED TO ACT ON BEHALF OF SAID ASSOCIATION OR ORGANIZATION.

DATED this 4 day of August, 2014

APPLICANT:

Candace Homes
Its: Bar Manager

THIS SECTION IS TO BE FILLED OUT BY CITY

APPLICATION HAS BEEN REVIEWED BY THE CEDAR CITY POLICE DEPARTMENT, AND ITS RECOMMENDATION IS AS FOLLOWS: _____

DATE: _____

SIGNATURE: _____

COUNCIL APPROVAL _____

CEDAR CITY COUNCIL
AGENDA ITEMS V ²
DECISION PAPER

TO: Mayor and City Council

FROM: Paul Bittmenn

DATE: August 4, 2014

SUBJECT: RAP tax recommendations (Arts)

DISCUSSION:

The budget for fiscal year 2014 -2015 Arts RAP tax is \$146,334.00. The total of all applicants requests is \$208,855.00. Previously you were given a copy of the applications as well as a staff memorandum related to each request.

Attached is a spread sheet with the dollar amounts requested per project and the dollar amounts requested per project. With the arts groups it is common for the requests to be for operational expenses. The recommended allocations for the arts groups do not have specific projects recommended for funding as is the case in the parks and recreation RAP tax funding. The attached document with bullet points and the attached spread sheet contain comments from the Committee Chair. The spread sheet also contains the dollar amounts recommended by the committee. The recommendations from the Committee balance with the budget. Attached are the Committee minutes. If there is any further information you would like please let me know.

Cedar City RAP Arts Board Recommendations 2014

Summary:

- We had \$146,344 in available funds and \$208,855 in requests from thirteen organizations. CC Community Theatre missed the deadline. Suzuki Strings is a new requestor
- Thanks to Don Marchant for being on our panel
- We were disappointed about the lack of TRT money for USF and grateful that was clarified prior to making our recommendations. We respectfully request that the TRT allocation be finalized before our meetings next year
- Our over-arching objective was to ensure that the money will be spent in a way to benefit the local community versus a small group or expenditures outside of our area
- We value those organizations that help drive our economy, such as the Utah Shakespeare Festival. We also value those that provide an artistic outlet/service for our community. Some, like CCMA, have a long history. We wanted to be sure the money was spent for the benefit of our community and not just the organization. Our recommendations reflect that.
- Funding Recommendations- see attached spreadsheet

2014 ARTS RAP TAX ACTION MEETING
RECOMMENDATIONS

<u>NAME OF APPLICANT</u>	<u>Amt. req.</u>	<u>Final</u>	<u>% of request</u>	<u>Comments</u>
Braithwaite Fine Arts Gallery	\$2,000	\$1,700	85%	
Cedar City Arts Council	\$7,500	\$4,000	53%	great changes this year - truly serving as an umbrella org to promote art and artists
Cedar City Children's Musical Theatre	\$12,000	\$8,000	67%	solid growth
Cedar City Junior Ballet	\$11,510	\$7,500	65%	
Cedar City Livestock and Heritage Festival	\$15,000	\$10,000	67%	A unique economic driver
Cedar City Music Arts	\$15,000	\$11,000	73%	
In Jubilo	\$3,500	\$2,750	79%	
Master Singers	\$5,000	\$3,000	60%	
Neil Simon Festival	\$35,000	\$21,500	61%	still concerned about operating in the red; want to see in the black for next year
Orchestra of Southern Utah	\$15,000	\$10,500	70%	
Rubiks Cube Youth Square Dancers	\$2,345	\$1,000	43%	
Suzuki Strings	\$5,000	\$1,500	30%	new this year
Utah Shakespeare Festival	\$80,000	\$63,884	80%	Concern re: TRT. The biggest economic driver - needs continued support
Total	\$208,855	\$146,334	70%	

***TOTAL AMOUNT ALLOCATED TO ARTS IN THE FY '14-'15 BUDGET**

\$146,334

****TOTAL AMOUNT REQUESTED ALL APPLICATIONS**

\$208,855

**Cedar City Arts RAP Tax Advisory
Committee Work Meeting
July 8, 2014**

The Cedar City Arts RAP Tax Advisory Committee held its work meeting on Tuesday, July 8, 2013 at 9:00 a.m., in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

PRESENT: Board Members: Joanne Brattain, Holly Barrick, Clair Morris, Adrienne Tawa, Myron Armstrong, Sue Jones, Don Marchant, Clair Morris, City Attorney Paul Bittmenn, Executive Secretary Barbara Barrick.

OTHERS: Rachelle Bonnett, Reece Summers, Jewly Krause, Chad Reid, Deborah Snider, Lise Mills, Erin Waldman, Harold Shirley, Fred Adams, Suzanne Tegland, Chelsea Gardner, Pat Matthews, R. Scott Phillips, Jyl Shuler, Jackie Riddle-Jackson, John Black.

CALL TO ORDER:

Paul called the meeting to order at 9:02 a.m.

WELCOME AND CONFLICT DISCLOSURE:

Joanne – Please introduce yourselves and disclose any conflicts you may have. Don M. – I am on the City Council. Clair – I'm not affiliated with any groups at the moment. I think you are all wonderful and appreciate what you do. Holly – I am involved with many different organizations, but this year it is the USF. Sue – I'm not affiliated with anything. Myron – I am a USF Guild member and I volunteer at the Randall Jones Theatre. I'm happy to be a part of this committee distributing the RAP Tax funds. Joanne – I volunteer at the USF and I'm on the Board of the Braithwaite and the Arts Council. Adrienne – I'm a member of the Cedar City Arts Council and the Choral Director of OSU.

PRESENTATIONS:

Joanne – Please limit your presentations to five to eight minutes. We will meet a week from today at the same time. We won't make any decisions today. We make a recommendation to the City Council and they make the final decision. I asked Paul and Don about the Transient Room Tax to see if it is going to the USF and they found that it is not currently in the City budget.

BRAITHWAITE FINE ARTS GALLERY:

Rachelle Bonnett – I am the exhibit coordinator for the Braithwaite. We request \$2000 in funding for the fall exhibit. We are bringing in a ceramics invitational which will include six Rocky Mountain states. This is a unique exhibit and we have never had anything like it before. The funds we are requesting will offset the cost of bringing the

exhibit to the Braithwaite. We have a series of free events associated with the exhibit. There is new programming, and an adult education program. We provide a fall education program for school children, and we will add the adult education to it. This would be added to the bi-annual programming for the museum. Don – How many people are involved in the invitational? Rachelle – 45 artists and 50 works. Joanne – Will you bring the elementary school children to the Braithwaite? Rochelle – Primarily the elementary but also other schools. We will be doing something new and going out to the schools. We will partner with the Frehner Natural History Museum.

CEDAR CITY ARTS COUNCIL:

Debra Snyder – President of the Arts Council. One year ago I was made the president and no one had faith in the Arts Council, and it was pretty unknown. We have made changes to the Arts Council, as we were risking too much for too little gain. We have rebuilt our Board. The Arts Council was designated as the local arts council last year by Mayor Burgess and now the City is represented on the Council by Danny Stewart. We are in a tough marketing position, as we have no space but we have ideas. Our group works for all the Arts groups. We have revised our mission and goals. We offer advocacy, appreciation, and support to all of the arts groups. We have a newsletter and a weekly column in the *Iron County Today*, and we also have a social website. We partner with the NSF, USF, and the CCMA. We are branding the Arts Council as a service organization. We hold three networking get-togethers for artists each year. We have programming for school children and an Arts lab for seniors. We have workshops that show people how the Arts work from behind the scenes. We are also trying to show artists how to do the business side and create a business plan for their works. The teachers and presenters for this program are paid. We don't want the donation of services because we want to reward these professionals. We offer support to all of the arts groups and have a non-competitive stance with constituents and offer grant programs twice a year. We've awarded almost \$16,000 since 2008 to local constituents. We also send Board members to training, work with the Downtown Retail Alliance, and collaborate with SUU and City Council. We participate in the Tour of Utah with a chalk sidewalk art event. Our budget keeps expenses low so that we can pass funding to our constituent groups. Our RAP Tax request is 29% of our total budget. Our membership has grown 249% in the last few months. We want to have it grow even more. We are asking for \$7500. Holly – How do you advertise your seminars? I haven't seen anything. Debra – We use media releases, Facebook, etc. It takes time to establish advertising. Joanne – How about charging a nominal fee for workshops? Debra – We like to keep workshops for the kids free, but charge \$10 for non-members.

CEDAR CITY CHILDREN'S MUSICAL THEATRE:

Julie Krause – President of CCCMT. Last year we had a great year. We put on *Beauty and the Beast*. We had 188 children in the production. It was very successful. We had 3000 patrons attend and many were from out of town. We want to continue to focus on providing opportunity to children to perform regardless of their ability to pay. We do have to cap participants at 200 children. 35% of the children are on scholarship this year. We would like to add additional shows. We added a dinner theatre last year for

Halloween. We are requesting \$12,000 and the majority would go to rental fees for practices. We are moving to the Heritage Theatre this year for performances, as we are growing bigger, but the cost is more than when we used the high school. We are asking for \$6500 for performance spaces. We have been very lucky to continue to have the space that we have to practice. The rest of the money will go for royalties and matinees for schools. The rest of the funds would be used for costumes, scenery, and props. We are grateful for the funds we have received in the past. Myron – Do you work with playwrights at SUU? Julie – Yes, many of the children start out at SUU. It's great to see them move on to other productions. Joanne – Do you have other sources of income? Julie – Yes, we have sponsorships and membership fees and receipts. We try to keep costs low for the families. It is affordable. We haven't applied for other grants. Don – What age range are the children who participate? Julie – From age six to 19. Don – How many supervisors do you have? Julie – It depends on the day. No one is paid. We have two casts with 100 at each practice. We have great volunteers. Don – I'm impressed that you are starting young. I like to see that with other arts groups. Julie – It makes a difference if they start young and they begin to audition. It's great to see their confidence grow.

CEDAR CITY JUNIOR BALLET:

Erin Wilson – Thanks for all of your previous support and to the other organizations for providing a community of art. We have a great environment in this community for Arts support. CCJB is in its 13th season. We performed *Cinderella* last year and had the largest attendance to date. We had a large cast and lots of new children. This helped with their families' attendance. We obtained a "big name," Brad Carroll, as the male dancer and he brought a good crowd as well. We are asking for \$11,510. We have worked hard to try to find other sources of revenue. We've had increases in donations and sponsorships. We've been more aggressive in seeking funding for grants and in our advertising. We are trying to make sure there is more of a balance. It takes a lot of money to run a ballet. We need a stage manager. We have a lot of children and the age group of the performers ranges from four to the mid-forties. Some of the costs are taken care of in trade to off-set these costs. We added a lot of children and had to buy many new costumes. We will have a lot of costume build for next year. It is a challenge getting male dancers and we may have to pay when we find a male dancer. They travel or have other commitments so we have to entice them. Our theatre and facility costs continue to increase. Ballet is an amazing experience for all who participate. Word of mouth has helped increase participation and attendance. Ballet is a very disciplined art form. We have four to 10 years olds lining the walls and they have to be respectful and quiet. But the children can see from this experience that it takes hard work to accomplish something. It takes a high commitment level to be in the program. Joanne – How many kids performed last year? Erin – There were 32. We offer one production a year. We start in auditions at the end of September and rehearse until the ballet opens in April. The rehearsals are every Saturday and some Fridays. It is a full production ballet.

Don – Do we have a pool of grant writers for all of these programs? Erin – We would

love it; it is a good idea. That might be an idea for the Cedar City Arts Council. Joanne – Maybe we could find people to write grants in the Master of Fine Arts program at SUU. Don – More grants could provide additional funding. Erin – We have someone on board this year who is pushing grant writing and we may have the potential for more options.

Adrianne – My vision is that we have a producing body such as the CCAC and that all the arts groups are under that umbrella and they would all be housed in the Heritage Theatre. Right now we are doing everything on our own and a producing body would stop us from shooting ourselves in the foot. Erin – CCAC has helped us in the past. There is a difference since Debra has stepped up. Joanne – You may pursue grant funding through the MFA program and Rachel Bishop.

Adrianne – We have great programs that pay a lot to use the Heritage: The NSF, the ballet, etc. but we don't have a costume and scenery supply that we could pool for all of these groups. Erin – If and when this vision comes to fruition, it will be great but until then, we need RAP tax support.

Don – This is a good idea to have a producing body. Everyone is a little territorial right now and we could learn to play well with others. Joanne – It's a good idea. We could talk about it at the upcoming Arts Council meeting.

CEDAR LIVESTOCK AND HERITAGE FESTIVAL:

Chad – Thanks for your past support. Our festival is what it is today due to RAP Tax support. Cedar City is the only place in the world that could hold this festival. We had 15,500 in attendance last year, and just won another national award, which I will accept in Mobile, Alabama in July. We have given \$20,000 in equipment to Cross Hollows. We are the only festival that pays the City back. Each year, we add chapters to a book on Iron County. We will publish it when we feel it's complete enough and it will document our heritage. We work hard to get sponsorships so the events are almost all free. This year we are having a headliner concert free of charge. We have youth groups who participate in the festival. We have nationwide exposure. A group representing the history of Polish shepherders is coming from Chicago at their own expense to perform at the Festival this year.

Last year a couple attended the Festival while they were on their way to Arizona to buy a house and decided to move to Kanarrville instead. Don – I see that your advertising is \$20,000. What goes into that? Chad – TV, banners by Summit, local newspapers, radio, and advertising in Salt Lake papers. Hotels like us because we're in the "shoulder season" and fill the hotels. The Festival takes place in the last weekend of October, when the last herd of sheep comes off the mountain. Holly – Are there any changes this year or different revenue? Chad – We are working on one big sponsor, and talking about having a concert on Thursday night to kick it off. But we are pretty stable. Kip Hanson – I am a board member of the Festival. This started as a way to celebrate local history but now it's a destination event, bringing people into Cedar City. People come from all over the country to participate. There is a big return on our

investment. Adrienne – Are you tracking attendance? Chad – Maria Twitchell helps us, but we haven't figured out a good way to do that yet.

CEDAR CITY MUSIC ARTS:

Carol Ann Modisett – I was there when we first formed CCAC and the idea was to have it as an umbrella group over the arts. It is the Cedar City Music Arts 86th season. We have had 7295 attend our concerts. This season we hosted the Symphony, Jenny Oaks Baker, the Nutcracker Ballet with the Moscow ballet, Michael Ballam, Delfeayo Marsalis, the Woodbury Dance Company, and the Five Browns. It was a very successful season. This year we have cut the season by one concert. Prices keep going up and we want to maintain a level of good artistry. We are planning six this year: the Symphony, Circus Electronica, Jenny Oaks Baker Christmas show, St. Petersburg Symphony featuring Rachmaninoff, and maybe a children's outreach concert. Rene Marie, who is a jazz artist, and is bringing her combo with her. We also will have the Glen Miller Orchestra. We have \$15000 that we equally apportion to each artist that comes in. Don – You had a great season this last year. There were some familiar artists. Joanne – How is your attendance? Carole Ann – It goes up and down. It was a banner season this last year. It depends on the economy. We had to raise individual price tickets but we're trying to not raise season tickets. Joanne – What about technology for season ticket holders? Carole Ann – We are starting it up this year and have a website now. Season ticket is \$85, so it's a bargain.

IN JUBILO:

Judy Ault - We started out small and now we are in our 12th year. We've seen a great deal of growth and sophistication with each arts group as well. In Jubilo started out as a small church choir and started adding members as we found that there was a need in the City for a women's group. Cedar City has the Master Singers for the men. We have 55 to 60 members and started out with 10 to 12. We have four to five concerts in Cedar City and do some outside of the City. We now have a Board to go over ideas, and we have more ideas than we can accomplish. We are excited this year to do a choral festival which will be February 27 and 28th at the Heritage Center. You take money from the City and give it back to the City but it gives us a nice venue. We will have workshops and an event at the end. We are asking for \$3500. We also need music and the music costs are going up. The Cedar City Children's Choir is our contribution to getting the children to become familiar with choral music. Jackie Jackson and Melissa Leavitt work with them and they are delightful. We will have our Christmas concert with the Master Singers. We do it for two nights and 1500 people attend. It is a wonderful contribution to the holiday season in Cedar City. We work with OSU in the fall for their recital series. We have increased in professionalism. Our posters and programs used to be donated but we have to pay for them now which increase our expense.

Joanne – Do you have other sources of income? Judy – We receive donations. We have a donation box at concerts and have received some. Don – Master Singers has a nicely decorated box they might let you borrow. Adrienne – Do your members have a contract; what is the commitment? Judy – There is no contract but there is a handbook

and members must abide by the rules. Adrienne – Maybe they could contribute money for music. Judy – They do donate voluntarily. We have looked at the needs of individuals and if a member cannot afford dues and their costume, we donate it. There are only about three people that can't come up with the entire amount. The dues are \$25 for the season, but the dress is quite a bit more than that.

MASTER SINGERS:

Harold Shirley – Evan Turner is out of town. We appreciate the RAP Tax. We failed to vote it in in 1993, but got it passed for another 10 years and we appreciate the time you spend on this. It takes a lot of your time. Our concerts are free and we have four major concerts for the year and several events at the elementary schools. We have the Veterans Day concert and the Cedar City Birthday concert. We rent the Heritage and it costs \$1800 a year to rent. We have a donation box and we had \$3300 last year in donations. Our donations are down this year from a year ago. The In Jubilo concert helps and costs vary from \$1400 to \$1800, depending on who pays for the Christmas concert. We are not doing anything much different than previous years, except we've bought more music. We haven't had too many outside expenses. Joanne – Do you charge members like In Jubilo? Harold – We should and I've suggested it. Holly – There is an increase in programs and decorations in the last couple of years. It went up \$1000. Harold – We bought flags and things we haven't had in the last few years. We also have concerts at Iron Springs and concerts for Veterans Day at the schools.

NEIL SIMON FESTIVAL:

Richard Bugg – We are expanding our offerings this year. We will have two musicals, with four shows total and we're adding a 5th show in the Explorer Room. We are bringing in *Driving Miss Daisy* for one night. We're also inviting in "Off the Cuff," the local improv group as part of the festival. We will continue the new play contest for the 4th year. We received 98 entries from the US, Canada, and England and we will bring in the winner and will put on a stage reading as part of the festival. We are also going to do an "actor talk back" after the shows. We've added festival seminars to give lectures on topics related to the shows. We are expanding our apprentice program to high school students so they can perform and also be taught. Education efforts are growing, and we have five workshops at the high schools. We have an active Board of Directors now and that was not always the case. I believe strongly that artistry and story-telling make for a stronger and healthier community. I love this community and all these groups. I agree with Adrienne's dream. Clarence Gilliard is a big part of our festival. Clarence – As a 58 year old artist and husband and father who is an educator in Las Vegas, I want to say thank God for Cedar City. There are a lot of things I could do in the summer time. But I want to spend my summers in Cedar City making people laugh. It's a great opportunity be a part of the festival and to have my children become a part of your community. It is a gift to me. I feel like one of those people who consider Cedar City as a second home and an arena to grow as an artist and become part of the community. I love that it is the festival city and a place for artists to continue to grow and be family-minded. Rick - We are excited to still be here and still be growing.

Joanne – There is still a shortfall in the budget. What are your other sources of income? Rick – We have funding from Eccles, the Lane Family, State (UDAM); and we have funds coming from the Leavitt Foundation, as well as from the Rotary. We go to corporations and businesses and individuals for sponsorships. We are still recovering from a shortfall two years ago and we will climb out this year. There has been a 63% ticket revenue increase over the last 2 years. Holly – What about educational programs? Rick – We pay an education director to run the program and then pay the cost of renting the spaces. We don't charge tuition right now but may rethink that next year.

ORCHESTRA OF SOUTHERN UTAH:

Harold – We have people in the group that are long timers and we try to provide high quality music and include choirs. This year something we will be doing something different. We have outgrown the Episcopal Church and we are using the Heritage Theater for the recitals we used to have there. A good portion of what we are asking for would come back to the City through the rental of the Heritage. This year's theme is "Pieces of Peace" and we are concentrating on that kind of music, in addition to the Messiah. Last year was about the best we've ever had. We had good soloists and a large audience. State Bank and the Leavitt Group sponsor that and it is free to the public.

Sun, the director, was a child prodigy in China and does a fantastic job. We have a good season lined up this year. We will be bringing in a conductor from China and involving SUU and In Jubilo. We are trying to spread out and reach as many people as possible. The Halverson Young Artists festival will be in February during the Children's Jubilee. This combines arts, music and a program after the concert. We've had good people working with us and have a good program coming up this year. Last year we brought in school children from Iron County and this year we will give complementary tickets to 4th graders to build a base of music appreciation. Joanne – I'm impressed with your different sources of income. Maybe we can leverage some of your know-how to see how to help other groups. Harold – We have Sara and her daughter who writes the grants. Adrienne – Live art is a very emotional and human experience and people can't get it another way except for being there. When I sit in the audience I feel I am in the middle of a vortex that is right there and there's nothing like it.

RUBIK'S CUBE YOUTH SQUARE DANCERS:

Pat Matthews – I am the caller for Rubik's Cube. Don – I heard about a wreck involving your members. Pat – Two girls are back home and it was an unfortunate accident, and it happens a lot at that intersection. This was in Provo where we had just performed at the Stadium of Fire. The kids came out and a kid said I wasn't nervous at all because we have all friends here. Don – We hope all goes well. Pat – It is right now. The other driver got a citation for the red light that he ran.

Pat – My goal is to expose kids from eight to high school age to the thrill and fun of square dancing. Ours used to be only all youth club in the state and now there is one other youth and one family club up north. Everyone enjoys competition dancing. In

March we had the first competition and the club up north competed. This year we want to include a Friday night dance where neighbors can watch and have a dinner and we will give out trophies and prizes. We would invite other dancers around the state and have another dance on Saturday. RAP Tax funding would be for Friday night and we have a deal with local hotel to bring people into the City to stay the entire weekend in Cedar City. We are trying to keep the dance and meal free or nearly free. We will expand the amount of dancers we have and bring youth from out of the area. I want to invite everyone to the Hey Cedars dance that is every Wednesday night at 6:30 at the Senior Center. Thanks for the opportunity. Joanne – If you bring people from in from out of Cedar how is that a benefit? Pat – They would spend money in Cedar, eat at our restaurants, and stay at our hotels. I have relationship with 80 of the businesses and have a good rapport. I will gather discount tickets and put together package for those who attend.

Paul B – He provided documentation last week for 501(C) 3. Rubik's Cube affiliates with another group. Holly – What about the educational component? Pat – At CVMS, we have a class twice a week and plan to expand that. We are working on getting another caller to teach. There are two other schools as well that have contacted me because they are interested. We did an assembly at CVMS and it was incredible to see the kids. We are getting out there, slower than I like, but we need to train the people.

SUZUKI STRINGS:

Chelsea Gardner – I am the president of Suzuki Strings. We are a new non-profit this year. In the past we had run our finances through SUU and we are awaiting final approval of our own non-profit status. We have weekly classes for children from age three to 18. We have a workshop each fall where nationally renowned clinicians come and work with the kids, and we hold a concert twice a year. Our students perform at the Greenshow, and at the Utah Junior Miss pageant, OSU, Cedar Valley Community Theatre, and the all state orchestra.

We are asking for funds for the workshop fees and group class fees. We currently have a Shelly Gardner Foundation grant. We receive donations at our concerts. Our expenses include the rental of the Heritage, teachers' salary, clinician fees, and music. We are hoping with RAP Tax funds to buy a bass for full functioning orchestra. A bass is \$3500 to \$4500. We have 60 students weekly, and at the workshop we have over 100. We received no funds from SUU, just space, and they did our accounting. Holly – What do you do for outreach? Chelsea – Newspaper ads, local orchestra teachers, and Suzuki teachers.

UTAH SHAKESPEARE FESTIVAL:

Scott – Thanks for your service. RAP Tax funding is crucial to the Shakespeare Festival. The

2014 season has been underway for two weeks now. I'll share a comment from a patron from out of state. He said his wife and he come every year and to them each year seems to be the best. They said the festival is a highlight to their year and they are never disappointed. We hire over 300 seasonal employees each year. We have a

6.8 million budget and 6 million is spent here in Cedar City. The season lasts 18 weeks; and we have 188 performances June through October. There are 140,000 paid admissions. Education is very important. We began our education program in 1994. It involves students in K through 12; and includes Playmakers, workshops, etc. Last fall we took the Playmakers play out to the schools. It's very exhilarating and is so important for these future audiences. We've moved all the production spaces in preparation for the Center for the Arts. We think telling the story of the classic playwrights is important. The USF has a 53 year legacy and I hope you will support us. RAP Tax is key to our survival and we operate on a very narrow margin. We have a great relationship with SUU, and have 10 SUU fellows who are receiving scholarships from SUU to participate in USF. We have local kids in the Green Show this year. We help build for the future, both performers and audiences. Holly – With Playmakers, what percentage are scholarships? Scott – About one third. It varies. Fred – 2016 is quadricentennial of Shakespeare's death. There will be a huge international celebration and we will have the opening of the theatre in the Sorensen Center as part of it. Cedar has been selected as one of seven cities to participate in documentary by the Universities of Bristol and Warrick and they will be here from England on the 17th, and 18th and 19th of July. They will present a gift to Cedar City and will film elements of USF productions in the documentary that will be seen around the world. It's very exciting. America has fallen in love with Shakespeare. We want to invite everyone here to be in attendance at the event on the 18th at 5 p.m. It's called Shakespeare on the Road.

OTHER BUSINESS:

Joanne – We can meet in groups of two or three to discuss our thoughts, but not in larger groups due to the laws on public money allocation. Next Tuesday at 9 a.m. we will reconvene to allocate the funds. Don – We would like to fund everything. As I listen to the presentations, but particularly from those groups that are educating young people, it is difficult to narrow some of this down. I haven't heard from any group today that isn't deserving. Whatever we do will be in the best interest of all but these are good people doing good things. I applaud you for enhancing the quality of life in Cedar City.

Joanne – As a side note, there was an editorial in Sunday's paper regarding what's great about Southern Utah and everyone should send them an email and talk about the arts.

ADJOURN:

Clare moved to adjourn; second by Myron. The meeting adjourned at 11:20 a.m.

Barbara Barrick
Executive Secretary

**Cedar City Arts RAP Tax Advisory
Committee Action Meeting
July 15, 2014**

The Cedar City Arts RAP Tax Advisory Committee held its action meeting on Tuesday, July 15, 2013 at 9:00 a.m., in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

PRESENT: Board Members: Joanne Brattain, Holly Barrick, Clair Morris, Adrienne Tawa, Sue Jones, Don Marchant, Clair Morris, City Attorney Paul Bittmenn, Executive Secretary Barbara Barrick.

OTHERS: Rick Holman, Jason Norris, Jyl Schuler, Deborah Snider, Jewly Krause, Pat Mathews, Scott Phillips.

EXCUSED: Myron Armstrong, Don Marchant.

CALL TO ORDER:

Joanne called the meeting to order at 9:00 a.m. Joanne - This is the decision making meeting for the Arts RAP Tax. I asked Paul for some clarification on the Transient Room Tax. We thought USF would be getting a portion of the funds, but that did not happen. We thought 50% of the TRT was to go to USF and 50% to USG. Rick - This year's budget was very lean for the City. There were some things that needed to be addressed, and some obligations that we had made that limited our flexibility. The first year we had the TRT, we did an estimate of what it would be and we gave \$20,000 to USG and gave \$20,000 to USF that first year. In our current budget we made an estimate for TRT and gave \$30,000 for USG but because of some decisions we made about event recruitment efforts we used TRT for event recruitment instead. We didn't put the funds into USF due to its ability to receive RAP Tax funds. We made a capital purchase out of TRT for Events. I'm not sure where the idea came that we were dedicating 50%. Joanne - Nina Barnes and Mayor Burgess. Rick - They weren't part of the budget process this year. As we get an idea how much the TRT will be, we'll have more definitive plans for it. Joanne - So we need to assume USF won't get funds out of TRT next year. Rick - Now that we have a first partial year of TRT, I think we will give the Council more specific guidelines how to spend it. The RAP Tax group will have more clarity about what it is used for.

Don and Myron can't be here but gave their recommendations.

DISCUSSION

Holly - I looked at the group's potential growth, history and their need in my recommendations. Joanne - Economic impact is my criteria and the number of people served. I also look at the education factor and whether they help young people

appreciate the arts. Sue – I agree, that is my criteria as well. Adrienne – I want to support all performing arts and the arts as a profession with our tax dollars.

BRAITHWAITE FINE ARTS GALLERY:

Joanne – Their request is \$2000. There is a range from \$1400 to \$2000 of recommendations from the Board. The Braithwaite's programs are free and they do a lot of education. Holly – I thought they were very realistic in their expenses. Clair – I move to give them \$2000. Joanne – Let's not do motions yet. Adrienne – We need to make it all balance. Sue – Let's start out at \$1700 as a compromise.

CEDAR CITY ARTS COUNCIL:

Joanne – They requested \$7500. Our recommendations range between \$2500 and \$5300. Holly – I am very low on this one. I wanted to give them a \$500 stipend to pay a grant seeker. Sue – We discussed that the Arts Council received income from other entities. Deb – We do. Sue – We want to be fair, but let's try \$3500 to start. We're going to have to tweak everything.

CEDAR CITY CHILDREN'S MUSICAL THEATRE:

Joanne – They requested \$12,000. Most of us are around \$8,000. Holly – I think there is a lot of potential and professional development there. I'm okay for the time being to go with \$8,000.

CEDAR CITY JUNIOR BALLET:

Joanne – They've requested \$11,510. All our proposals are close. How about \$7500?

CEDAR LIVESTOCK AND HERITAGE FESTIVAL:

Joanne – They've requested \$15,000. All committee proposals are around \$10,000. Holly – They do well and support themselves but I don't want to punish them for that. We gave them a lot in the last couple of years but they bring people in. We'll set it at \$10,000.

CEDAR CITY MUSIC ARTS:

Joanne – Their request is for \$15,000. How about \$11,000?

IN JUBILO:

Joanne – They have asked for \$3500. Board member proposals range from \$2450 to \$3500. Holly – I'd like to see Master Singers and In Jubilo get about the same amount. Joanne – They take turns paying for their joint Christmas concert and In Jubilo has it this year. Clair – I think they should have the same amount. Sue – I think expenses for Master Singers are higher. Let's start with \$2750.

MASTER SINGERS:

\$3000 for Master Singers as a starting point.

NEIL SIMON FESTIVAL:

Joanne – Their request is for \$35,000. Our ranges are \$18,000 to \$25,000. Joanne – They are still in the red which makes me nervous. Adrienne – I am excited to support them this year and was ready to de-fund last year. They have done a good job turning that around. And I would like to see them rewarded. Will start at \$22,000.

ORCHESTRA OF SOUTHERN UTAH:

Joanne – OSU has asked for \$15,000. Adrienne – I'm part of OSU but I continue to feel so much of a sense of pride in what they do and their heritage and the number of people they impact. Sue – The Halverson program for youth is great. Joanne – We'll start with \$10,500.

RUBIK'S CUBE YOUTH SQUARE DANCERS:

Joanne – This is a worthy group, but serves a small amount of people. Adrienne – I'd rather not support visiting artists, but support local artists. I recommend we start with \$1000.

SUZUKI STRINGS

Joanne – Their request is for \$5,000. This is the first year of a request for RAP Tax funds, but they've been around a long time. Holly – My proposal was low as this is their first year asking for funds. Could they share a bass with one of the other groups? Adrienne – They are all individually owned. \$1500 for now.

UTAH SHAKESPEARE FESTIVAL:

Joanne – They are asking for \$80,000 and there is \$63,884 left.

Holly –Regarding the Master Singers and In Jubilo, I feel they should have the same amount. I would feel this was more fair if I was a member. Joanne – Master Singers has more members and more concerts. Sue – The benefit to the community is more with the Master Singers. They are not on an equal plain yet. Adrienne – As a choral director, I can say is a totally different program. Holly – I feel good about the amounts. Clair – I would like to say that Master Singers get the same amount as In Jubilo as well. Holly – I'd pull it from CCAC if we give the same amount. Adrienne – I think we seriously under-awarded them this year. We were waiting to see what would happen this year and I'm excited about the changes. They got \$3500 last year. Holly – Leave Master Singers and In Jubilo the way they are, but keep in mind giving that same amount in the future. Joanne – A couple of hundred dollars means a lot to the smaller organizations.

Holly – I don't know where we would pull the funds from. Adrienne – I don't know where to take it from because we don't have enough. Deb – Our understanding was you wanted a year under our belts before you gave us more funds. We've knocked ourselves out supporting local artists. Holly – What programs would you cut if you're not awarded your entire amount? Deb – We want to expand education. Adrienne – No one can really expand with the limited funds, we need to just maintain. Sue – We'd

love to give you the \$7500. Joanne – How about if we give \$500 to Rubik's Cube and give that \$500 to CCAC? Holly – If Rubik's expands their educational efforts they could be awarded more next year. They received \$500 last year. Joanne – We could also take \$500 out of NSF and then we could give CCAC \$4000. That will change the allocation for the Neil Simon Festival to \$21,500, Rubik's Cube to \$500, and then we can give CCAC \$4000.

Scott – I am concerned about the direction the RAP Tax has been going the last several years. I am hoping that we can have a dialogue. The Parks receive two thirds of the funds. A new Parks group received over \$90,000 from the Parks & Rec RAP Tax last year. We've received a \$4500 budget cut again for USF. All of these groups are viable, and we need to help groups grow but also need to sustain them.

Sue – You make an excellent point, but we can only divvy up what we are given. Scott – You need to say that to Council. Sue – It upsets us too, but it is the way the ordinance is written. Scott – There is a few thousand more in the pot than last year, but USF is taking the hit. We got \$67,000 last year. With no TRT it's a \$24,000 hit.

Joanne – Council gave us guidance and we would have lowered your award if you got TRT funds. Sue – I show you received \$60,144 for last year. Holly – When could we speak to Council about this? Paul – Every Wednesday they meet at 5:30 p.m. and there is the section for public comments. You could talk about changing the ordinance to half and half distribution. If a whole group of you wants to come in and talk to Council, please call and we'll put it on the agenda.

Kurt Brown, CCAC – We don't have last year's numbers to look at but there was talk of awarding 70% of the amount requested. Some are getting more and some less. Sue – CCAC got \$3500 last year. Adrianne – We were 70% funded for the RAP Tax and so we started out narrowing it down that way. Paul – There is a different applicant pool than last year. The pool differs from year to year. Sue – It is a wrenching decision.

Joanne – My concern with the flat 70% is that it makes groups ask for more money than needed. It is a good starting place to narrow it down though. Holly – Last year was my first year of the Board. I asked Paul if the Board had a mission statement. He said we leave that open. Joanne – Now we have a Council Member sit on the board so we get their recommendations. At the end of the day City Council makes the decision. We as a group may wish to go before Council and petition they change the ordinance, but that is a separate discussion.

Motion to accept the above recommendations by Clair; second by Holly. Vote unanimous to approve.

Paul – August 6th is when Council will discuss this. Joanne – What about asking about making a change to the ordinance. Paul – You will have to follow up on it. They may want to make even more changes than what you are requesting. The ballot had voters approve a broad ordinance that went along with the State's. The one third for Parks, one third for Recreation, and one third for Arts was the City Council's choice. Harold – If we go in and make a stink they may take it away from us. It's a two edged sword.

OTHER BUSINESS:

ADJOURN:

Clair moved to adjourn; second by Sue; vote unanimous. The meeting adjourned at 9:45 a.m.

Barbara Barrick
Executive Secretary

CEDAR CITY COUNCIL
AGENDA ITEMS V - 3
DECISION PAPER

TO: Mayor and City Council

FROM: Paul Bittmenn

DATE: August 4, 2014

SUBJECT: RAP tax recommendations (Parks and Recreation)

DISCUSSION:

The budget for fiscal year 2014 -2015 Parks and Recreation RAP tax is \$292,668.00. The applicants requested \$563,056.00 in funding. Previously you were given a copy of the applications as well as a staff memorandum related to each request.

Attached is a spread sheet with the dollar amounts requested per project and the dollar amounts requested per project. In short here is a summary:

Leisure Services requested \$105,000 for projects at Main Street Park. The Committee recommended \$35,000 to upgrade the electrical service, landscape and sign in the Northwest corner, and install trees and irrigation around the recent playground improvements.

Leisure Services requested \$65,000 for various projects in and around Canyon Park. The Committee recommended \$61,000 be spent on the projects in Canyon Park but did not recommend any money be spent on trash cans.

Leisure Services requested \$85,000 for a new restroom in the Canyon Ball Fields. The Committee did not recommend funding this project.

The Cedar City Lions Club requested \$25,000 to fund improvements to the Lion's Pavilion in the Main Street Park. The Committee recommended full funding.

The Cedar City Trails Commission requested \$100,000 to fund expansion and improvements along the City's trail system. This would include purchase of additional rights of way. The Committee recommended \$92,778.

The Cedar Ridge Golf Course requested \$20,000 to remove and replace landscaping between the Club House and the parking Lot. The Committee recommended full funding.

The Iron Mission Museum Foundation requested \$12,000 toward funding improvements to a native American exhibit. The Committee recommended full funding.

The SUU Community Engagement Center requested \$6,247 toward landscaping improvements along

South Main Street. This project is the same project the engagement center presented to the Council a couple of months ago. The requested funding was not for the entire length of the project, just the southern section. The Committee did not recommend funding for this project.

The Southwest Wildlife Foundation asked for \$100,000 to help fund a restroom on Foundation property. The Committee recommended \$20,000 be funded toward site work for the restroom. If this is something the Council would like to fund with RAP tax money we will need a written agreement with the Wildlife Foundation. Parks and Recreation RAP tax money is supposed to be spent on publically owned or maintained recreational facilities. I think if the City wants to fund this project with RAP tax dollars we need to have a contract in place to make sure the restrooms will be maintained and open to the public.

YETI requested \$44,809 for various improvements at the Aquatic Center. The Committee recommended \$26,890 to pay for the purchase and installation of an air curtain to the doors of the aquatic center and some parking lot improvements.

The recommendations from the Committee balance with the budget. Attached are the Committee minutes. If there is any further information you would like please let me know.

2014 PARKS AND RECREATION RAP TAX ACTION MEETING RECOMMENDATIONS

<u>NAME OF APPLICANT</u>	<u>Total requested</u>	<u>Total recommended</u>
Cedar City Leisure Services		
Main Street Park	105,000	35000 electrical upgrades, n.w. corner landscape and sign, playground trees/irrigation
Canyon Park	65,000	61000 no money for trash cans
Canyon Ball Fields	85,000	0
total requested	255,000	
Cedar City Lions Club	25,000	25000
Cedar City Trails Commission	100,000	92778
Cedar Ridge Golf Course	20,000	20000
Iron Mission Museum Foundation	12,000	12000
SUU Community Engagement Center	6,247	0
Southwest Wildlife Foundation	100,000	20000 restroom site development
YETI		
Pull power north side	5,000	
air curtain	1,890	
Parking lot Paving	23,000	
lighting adjustments	15,000	
total requested	44,809	26890 air curtain and parking lot pavement
total of all requests	563,056	292668
*total amount budgeted	292,668	
*total amount requested	563,056	

**Cedar City Parks and Recreation RAP Tax Advisory Committee
Work Meeting
July 8, 2014**

The Cedar City Parks and Recreation RAP Tax Advisory Committee held its work meeting on Tuesday, July 8, 2014 at 1:00 p.m., in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

PRESENT:

Board Members: David Louthan, Anita Bunker, Sherene Carter, Vickie Christian, Ron Adams, Mauri Bleazzard, City Attorney Paul Bittmenn, Executive Secretary Barbara Barrick.

OTHERS: John Black, Kerry Fain, Todd Prince, Dan Rodgerson, Pam Branin, Karl Stevens, Steve Carter, Ben Davidson, Barbara Frank, Rich Gillette, Steve Shrobe, Tom Martin.

CALL TO ORDER: Paul – The SUU Engagement Center submitted their application on time, but was inadvertently left out of the agenda items. I contacted them today and the Director is out of town but she has representatives here and we can include it in the “other business” portion.

WELCOME:

David – Please use five to eight minutes to present and then we will discuss the applications. Next week we will vote and recommend to Council.

PRESENTATIONS

CEDAR CITY LEISURE SERVICES:

Dan – Thanks to all who support the RAP Tax. It was passed with a 68% margin, which is incredible. Casey did well with the USG this year and many of these activities happened at City facilities. They have been a great partner and I am going to talk about how much our parks get used. In the last 10 days, our Main Street Park has had about 15,000 people use it. In the next 10 days, with Renaissance Festival and July Jamboree and then the 24th another 10,000 will use it. This is a rendering that City Council had asked for in a Master Plan for Main Street Park. We have the new playground and have demolished the old Rec building. We have built fences. In the operating budget, there are still plans for pathways around the park and for interior trails. On the northwest corner, we would like to clean it up and put a sign and some planter boxes. We have had requests for shade structures in the area around the new playground. We would like to have security lighting throughout the park. It would make it more attractive in the twilight hours and we would also like to install some electrical upgrades. The City Council and the new leadership have expressed that we have built lots of new parks and the direction has been to expand the existing parks that we have instead of building new ones. These plans can be scaled up or scaled down. This is the heart-beat of the community and we want to continue making improvements.

The Main Street Park has seen better days. We need to upgrade the concrete and bridges. There

are rough areas that are trip hazards. The lighting needs to be upgraded. The drinking fountains need to be upgraded and all be made consistent. Wally has purchased trash cans and benches and we would like to carry the theme from the downtown to all the parks. We would like to have uniform amenities in the parks. On the west side of Canyon Park, behind the Senior Center, it has never been cleaned up and we would like to continue with the standard we had at the Lake at the Hills with a concrete border; etc. The shelters and restrooms need to be upgraded as well at these parks.

The Canyon Ballfields need a new restroom facility. This would be a prefab unit like the one at Frontier Homestead State Park. It would cost about \$70,000 for the facility and the improvements. There are 35 teams in that park today. If you look at the flow of the people there you will realize how well used that area is. The sewer line runs close. There are utilities there already, but we will have to pay for the connections. Access with pathways will be more of a challenge. Anita – Which is the priority? Dan – The first two were put in intentionally so you could pick and choose. The Main Street Park is the lifeblood of the community, so it is the priority for me and I believe of the Parks and Recreation Committee as well. Casey – Does the fence serve a purpose other than décor? Dan – Yes and no. It is for esthetics, but does create a small barrier around the playground. I would say it is 90% esthetics. The part of the project is removal and replacement of the sidewalk around 100 East. It is buckled.

David – YETI has put in a request for finishing the front parking lot at the Aquatic Center. Dan – It is not part of our projects, but is a worthy project. Anything safety related should be a priority. Anything that will put us in a better financial position or make things more operationally simple would also be a priority. But it wouldn't be on my top two or three. We do have a strip out there at the Aquatic Center that is oiled. Casey – Will this lead to additional programming? Dan – No, it will just make it easier for our existing programming.

CEDAR CITY LIONS CLUB:

Rich Gillette – We realized we should upgrade our Cedar Main Street pavilion. It was put up around the late 60's. We use the pavilion a couple of times a year, but others use it all the time. We would like to eliminate the shake shingle roof and upgrading the lighting. The information is all in your packets. We would like to put tongue and groove on the ceiling and put on a metal roof. David – Will this all be done with the funding from the RAP Tax? Rich – All the contractors I talked to were willing to help. The RAP Tax funding would cover the materials cost and the Lion's Club would help with the construction. Casey – Maybe you could work with Dan and Wally and tie into the electrical master plan. Rich – There is some electrical that is stumped over to the building and I don't know where we can access that. But Barney said we could utilize it. David – This has come up over the last few years and we are glad you are proposing an upgrade.

CEDAR CITY TRAILS COMMISSION:

Ben – The new part of the east bench trail has been paved and there is only a little bit that needs to have concrete. It adds a lot to our trail system. As we anticipate moving our trails master plan forward, funding is always an issue. At the south interchange, there will be some paving that needs to be done. The flyover will become the trail and we will have to pave where current trail ends over to flyover and then over near Home Depot. On the east bench trail, there is no water

anywhere along that trail, but by the water tank we can make a connection off of one of the lots there and provide a drinking fountain. We would have to pay the connection fee. There is the possibility of adding the railroad right of way from Airport Road to 300 West, and we are negotiating with Union Pacific Railroad. This is another project that we are anticipating. We would like to extend the Coal Creek Trail up to Golf Course club house to get it to the Fiddlers area. The priority is the water fountain and finishing up at the south interchange. The other two requests depend on what happens with the railroad. If the right of way becomes available in the next year we will want to work on that. Otherwise, we'll extend Coal Creek to the clubhouse. The south interchange is supposed to be completed in October. David – Could the existing pavement be used? Ben – On the overpass, yes, but not in other places where they are changing the alignment. Dan – The paving would be to align them. Casey – How much trail is connected right now? Ben – It goes from north of Bicentennial Park and around to west of Walmart except in the south interchange area. Casey – What is the utilization of the trails? Dan – I don't know what the usage is. We would like to have a fund raising and special event to make people aware of all the trails. Casey – In St. George you can see a lot of their trails system, so you can see people on it. Mauri – I don't see as many on the trail behind WalMart. I'm on it twice a week. In the canyon there are tons of people. The neighborhood trails have lots of people on them. Wally – Three to five hundred people a day use our trail system. Casey – Is it a reality to think we can complete the entire trail system in the next 10 years? Ben – No. Some is on private property. Anita – How many drinking fountains will you have? Ben – Just the one by the water tank because of the close connection to the water tank. Tom – I live on Bristlecone and this morning there were about 40 cross country kids on the trail. That is typical. If we didn't have the trails they would be running in the streets.

CEDAR RIDGE GOLF COURSE:

Jared – We have a lot going on at the Golf Course. None is being funded currently by the RAP Tax. We have the prairie dog fencing going on which will be 10,000 linear feet. This is a project by the County, City, and State and will take care of our prairie dog problem and improve the Golf Course. We did an in-house remodel of the club house and it looks great. We are installing a point of sale system to help us market the Golf Course. We are going to have a sign on Main Street which we've never had. We are also planning a billboard for I-15. We have all this going on but when you pull into the parking lot, the front door is a mess. It's overgrown and not representative of how nice the Golf Course is. If it's your first time there, it is a bad first impression. Steve – In between the pro shop and the parking lot, there is sage brush and weeds. The proposal wouldn't mean we need additional crews, but we want to put in turf and a rock wall that meanders through the area and then flatten it out and beautify the area. We are in an awesome location and the first impression could be great. In the future it could be a phenomenal asset to the City. Lots of work will be done in house and we'll make it look as beautiful as we can. David – There is a shed out there that used RAP Tax Funds. Jared – Yes, I meant the current projects going on are not from RAP Tax funds. David – It definitely needs work out there. Jared – We have a letter that says we can get rid of the remaining prairie dogs after the fence is built. It is a tough situation for Steve and his crew. We have the best scenery and good greens but people remember the prairie dogs on the Golf Course. Casey – Regarding the sign on Main Street, what about 900 West and that patch that doesn't look too great? Jared – There is

potentially another project going in there that may clean up the area. David – Are the old sheds being utilized? Jared – We lease them but don't own them. They may be demolished. Mauri – Could this be an Eagle Scout project? Steve – It's a pretty large area for that. The clean up behind La Fiesta could be an Eagle Scout project. Paul – That property is on long term lease to a private entity. When it develops, they will have to do the improvements. If the interest is to get rid of all the sagebrush, the private entity would be the one to do that. Casey – There is a great opportunity for revenue at the Golf Course. That is the one project so far that would have a great impact on the community.

IRON MISSION MUSEUM FOUNDATION:

Todd – A native heritage exhibit is our project this year. We would like to better represent the native peoples who have 12,000 years of history in this area. We are trying to integrate this with SUU. There are multiple components of the project. While doing the infrastructural development of the area in back of the museum, we saw a potential for development. We would like to put in a water line, benches, and concrete. We would like to have activity stations for inter-active events with children. We would also like to have a mock excavation area. These kinds of opportunities are few and far between and would be priceless for field work for archaeology students. This would be replicating a Fremont pit house. The pit houses were their primary living habitation. This would help those who visit see how the people lived. We also want to have a traveling exhibit and educational kits. These would be available to local schools and could be checked out to schools and scout groups. We are requesting \$12,000 from the RAP Tax with matching fund from SUU. Jim – We were contacted by BYU and found SUU owns the last 12 ½ acres of Paragonah mounds. They had identified high-risk sites. The state bought the site from SUU and the agreement set aside \$12,000 for educational outreach and I can't think of a better project than this. The foundation is committing \$2,000 to this project as well, so we have more than half from other sources.

SOUTHWEST WILDLIFE FOUNDATION:

Susan – Thanks for the appropriations to the Southwest Wildlife Foundation that went towards our pedestrian bridge which has been completed. This connects to the City trail system. We have a parking lot and portable restrooms there now as well. We want to build a two room restroom using the same plans as those at Lake at the Hills. We would have a shed attached for park maintenance. North Elementary and SUU are partners with us. These restrooms would help with the trail network. The School District and SUU use the area as an outdoor education facility. We also have concerts in the canyon and tourists on from Interstate 14 could use the restrooms. We are donating the land and requesting funding from several different entities. We would put in volunteer hours to help with the project. The City has allowed us to use its plans from the Lake at the Hills.

David – Does it qualify under the ordinance? Paul – In the ordinance, it states that the RAP Tax Funds should go to recreational facilities that are publically owned. But this is owned and operated by Southwest Wildlife Foundation and not a public body. All others are public entities. I don't think this qualifies as publically owned. Martin – Susan will hand out copies of the ordinance. It is clear that non-profits qualify. We have partnered with Cedar City in the past. We

provided an easement for the walk through the park. We've received RAP Tax funds twice before. On the bridge, the City didn't want to be responsible for maintenance. And they aren't. Why is this an issue now? Paul – This doesn't have to do with past partnership. The language in the ordinance about non-profits deals mostly with the Arts. For the Arts groups, they don't have to be publically owned, just non-profit. Parks and Rec are under the definition in ordinance that they be publically owned and maintained. The definition says publically owned. Martin – We are a wildlife rescue and educational organization. We have campfire concerts that would qualify as a cultural and arts project. We have boyscout programs, etc. The only difference between us and USF is that we provide environmental art. We don't charge anyone. David – Is the bridge owned and operated by City? Paul – There was an agreement that it would be left open for public use. I raised the same issues about the bridge. Sherene - Can they be funded under the Arts? Paul – They are a nature park. There is overlap in lots of these facilities. Casey – We can hear and make recommendations. I don't think we are being swayed. We'll leave this up to the experts. If we think it's a good proposal and we can let the powers that be make the decision based on the legality.

Martin- We have lots of free events and the closest public restroom is one mile down the trail in Canyon Park. The people are using the bushes currently. We have port-a-potties at the park at no cost to the City. There is no more pressing need for this in the whole City than in the Wildlife Park. We have thousands coming to the park. We have a visitation of 500,000 plus per year. Sanitation is a real need. Susan – We have letters of support in your packets. Sherene – When do you find out about other funding? Martin – They can't fund us this year from the State. But they told us our proposal has merit and to apply again next year. Eccles has been generous in the past. What is slowing the process is they always ask "is Cedar City helping." Not only financially but with connections, etc. We've done amazing things. We do 100 to 200,000 wildlife rescues a year.

Anita – You are a great part of our community. We may not be able to fund you, but you put in a lot of service for a great benefit. We love to see the kids outside. Susan – When you reapply to the state, you need to get started on some of the basic things. Paul – What is the dollar value of soils testing and the water connection, etc. Martin – The soils test is \$800, and the water line is right there. It was \$8,000 for City fees. This will have to be a septic system. We just did an estimate of the cost of restrooms. The initial expenditures would be for site development. It can be done in two or three smaller projects. David – What is the minimum cost? Martin - \$20,000 for the septic system and soils. David – We have twice as many requests as we have funds. Martin - We could scale it down. Casey – If Cedar steps up, you could be funded by other groups? Martin – Lisa Eccles told me years ago if larger organizations come in it would help us get to the next level. Casey – Why not build a smaller restroom then? There are a lot of promises made in the world of grants. It is not our responsibility to make sure that the Eccles feel that you are worthy of funding. Anita – We understand that. Vickie – We don't have to look at what others are giving to fund your project. Martin – The rest of the funding will come from out of town and out of state. The vast majority of the programs we do, we don't receive from tax funds, but from donations.

YETI:

Carrie – Thanks for your support last year, it was monumental. We had just under 15,000 patrons last year. These are people from Mesquite to Richfield. We have been recognized nationally and by the State for what we've done down here. There were just few issues in the operation that we've run into. The heating in the Aquatic Center is a problem because if the people coming in and going out, and we've found the best way to stop this is a heat current when door is open and which will keep the cold air from coming in. This would be \$5000 for the season. We also have a problem with the lighting. There is a neighbor who had problem with the lighting and I'm not certain if the City will be changing the lighting, The cost to adjust it would be substantial. I would like to set aside \$15,000 for this from the RAP Tax. If it is not used, it could go back into RAP or into the Parks and Rec budget. I would like want a fail-safe so won't hinder our season.

We are also adding additional conex boxes for locker rooms. This is for visiting hockey teams. In the past we used the lockers in the Aquatic Center, but there is a concern with skates on the floor there. It would be \$5000 for the boxes. The final part of our proposal is to pay for the parking lot on the north end. Last year the Aquatic Center and the ice rink had high levels of use. People are parking at the middle school and on the road. They are avoiding the unpaved area due to mud. Muddy feet are bad in the Aquatic Center and they are not good for the ice. We are looking to do concrete work on the north side of the building so the entrance can be on that side.

Vickie – Is it a liability or an asset with the rink there? Dan – We like people to see the Aquatic Center, so from a marketing standpoint it is an asset. We saw a bump in our numbers after the rink came in, but the patrons might also chose to go to the rink and not to swim. Anita – Are the demographics different for the patrons? Carrie – There's not anywhere else to be in the winter. Teenagers are a steady crowd, but we also have families. Our priority would be the heating and electrical work, but we would like the amount set aside for the City to fix the lighting. Paul – The neighbor has complained about light pollution. Carrie – We've offered a few things or provide a privacy wall or netting. She is not interested in those. I went there and it wasn't a lot of light in my opinion. Sherene – There are a lot of people and it's very well-used. Ron – Do we have any issues with funding for parking? As a Council we've had problems with funding parking spaces. Casey – I think, we are helping many entities if that takes place. It is needed for many entities. Mauri – Does the City have an issue with that request? Paul – Streets money doesn't go for private parking lots. Each department has to maintain their own. Casey – This is multiple sports that are being assisted. Paul – There is no problem funding this in the ordinance. Give the Council your opinion. David – Will \$23,000 finish the parking lot? Carrie – Just the whole north side. David – So you would need another phase. Wally – It would need additional curb and gutter done. We had \$100,000 budgeted for that park. Ron – I think it's a good thing. I just wanted the Committee's opinion. One neighbor opposes the lighting the other goes on her deck and watches hockey. Anita – I like that you care about that one person.

OTHER BUSINESS:

SUU COMMUNITY ENGAGEMENT CENTER:

Pam – I'm sorry I have to fill in to give the presentation. The Director wasn't notified about this meeting and is out of town. I may not have all the answers. We do have an awesome

community. However, the south end of town does not reflect that. We want to work on this and that is what this \$6000 request is for. This is a proposal to remove weed and brush and place gravel and native plants that are drought and slush resistant on the median of Main Street in the south Main area. Our role on campus is to connect students and the community. It is beneficial to students to teach them community responsibility. It's both a benefit to the students and to the community. Our students did 197,000 hours of service in the community last year. Some of these students could make the south entrance more beautiful. Students can be very passionate, and even if there is turnover, our organization keeps them on track and takes responsibility. Student volunteers would put in the landscaping and maintain the area.

Carl – This would be in the median between south Main Street and the frontage road between the Shell gas station and Desert Pines Drive. The funds would cover ground fabric weed barrier, rocks, and plants. We have drafted a letter for the business owners to ask for support and give them our intentions. Parking is not allowed there. Gabrielle received approval from UDOT and is working on obtaining donations from the business owners there. This ties in nicely with the south interchange project. We request that City crews mow the planting strips this summer prior to planting and to provide landscaping fabric, but that doesn't look likely, so we've included those costs in the RAP Tax request. David – How wide is the strip? Pam – 20 feet. Carl – This would be in the middle of the 20 foot section. Anita – The very first thing that happened when I went back to school was an EDGE Project. I will be your biggest advocate. This is not like an eagle project, someone won't come and do it and leave it. There are many students who need a project like this so it will always be maintained. Pam – Now students have a list of projects to choose from. This is a perfect one. Carl – The suggestion to start in small sections was to see if the plants do well and to test the resolve of the students. We'll take it in small bites and expand if it works the first year. Vickie – I think it's a great thing. It beautifies the entrance to the south end. The north end is weedy and it used to be beautiful. Carl – With the eventual arrival of the temple, we will consult to see if there is interest there in contributing to something like this. Anita – How many students per year are trying to get a project? Carrie – Probably about four to five hundred. Carl – Also, we have the national day of service every fall. Students could do that independent of any EDGE effort. Wally – I've met with this committee on a number of occasions. City Council suggested they phase it back to smaller as they have suggested in this application. I'm not sure it should happen this year due to the construction. The Parks Department maintains the north interchange and we don't have enough people to keep it neat. We spend 80 hours a week spraying and pulling weeds on the north interchange. We've even had volunteers from SUU last year. We do try to take care of the weed situation and it just stays ahead of us. There are a couple of issues with this project. We need an agreement with UDOT, as it is on the property. There is no irrigation and shrubs take two years to establish. These areas would wash the bark chips down into the drainage system, so they would have to use rock instead. They proposed us to mow the weeds, but we would have to replace six inches of soil and replace it with something else in order for those plants to take hold. I think it's a good project but we're not totally on board because of these issues. Carrie – We've appreciated Wally's help through this and changed our application to reflect his concerns.

DISCUSSION:

Main Street Park: Vickie – We keep upgrading Main Street Park and putting the others on the

back burner. David – I agree. The continuation of the rock fence on 100 East seems like a lower priority. The water fountains do look horrible and don't drain. Vickie – Main Street is beautiful and is being used so much. David – The biggest bang for the buck at Main Street would be the electrical upgrades and the shade trees. On the landscaping and sign, I'm not sure how much that would gain us. Anita – As a mom, I'm not a fan of having the kids go far away to the bathroom. I think the restrooms at the baseball park would be a priority. Sherene – I think the focus should be on Main Street Park due to the huge amount of traffic there.

East and West Canyon Improvements: Casey – It's important we talk about each item but the person making requests knows the most about how they are functioning. Dan and Wally would be better judges than we would about what would be best. They are the experts. The reality is the functions there are important to our residents. We don't need to dictate how they spend their money, whatever recommendations we give to Council, we're not sure if they will approve anyway. We don't need to beat a dead horse.

LIONS CLUB

David - If we did the electrical, it could help Leisure Services. Dan – Their request wasn't a big upgrade to the electrical or creating a big energy source, just upgrade the lighting.

TRAILS

David – There is a little bit of flexibility in this dollar amount. They are well used and a good project, but it depends on the math. Mauri – The trail system keeps our kids off the roads and the more we can do for that the better. Sherene – What about other funds for this? Wally – There are no funds allocated from the General Fund this year and they were not successful with grant applications.

GOLF COURSE

Steve – Wouldn't increase maintenance costs or upkeep costs so they wouldn't have to add staff. Dan – We have a great Pro and so everything is coming together at the Golf Course.

IRON MISSION MUSEUM FOUNDATION

Sherene – It's used a lot and the Fremont pits at other areas are great. Todd – Many of these will be good Eagle Scout Projects.

SOUTHWEST WILDLIFE FOUNDATION

Mauri – Do we need them bad enough? Are enough schools using it? Is this in preparation for something huge that may not happen? I don't see the vision of it. It is annoying for the runners to not have a bathroom close. I get that. But to build it now; I don't think you're ready.

David – Long term maintenance worries me. It won't be owned by the City so there's no guarantee it will be maintained. They have a good track record but it's a lot to maintain. Casey – We can make our recommendation based on if it is valid about what we are trying to accomplish and let others determine the legality. Anita – It has been suggested that the biggest trail use is in that area, so bear that in mind. Vickie - Where do they go now to use the restroom? Martin – We have port-a-potties there now. They have been provided at our expense. There were 200 people at the last concert in the canyon. We will continue to work with the port-a-potty

company. Sherene – The soil might prove it is not even feasible. David – That’s Casey’s point. Let’s make a recommendation if you think there is merit. I wondered if there was a possibility for the bathroom to be constructed and turned over to the City. Susan – North Elementary said that if we had a restroom they could bring more students there and would encourage other schools and also SUU to come. Martin – We daily have requests for SUU programs, Eagle Scout courts of honor, weddings, and family reunions. Soon we will be booked six months in advance. Anita – Port-a-potties are dangerous for young children, and they can’t wash their hands.

YETI

Vickie – Maybe we could decide how much to award them and let them spend the money. David - \$23,000 sounds like a drop in the bucket for what is really needed up there. It seems like some of that is essentially going to be thrown away. Wally – You are right. Vickie – We allocate and then they decide where to put the money? David – The Council recommends. But we could say we think these three aspects of the request are valid because of whatever. Paul – You can allocate funds per project and Council can re-allocate if needed. Vickie – There’s obviously not enough money to give everyone what they want. David – This is good because always more requests than funds. It shows interest in improvements. Vickie – Pavement is the final priority, so maybe it’s a moot point. Casey – It’s important that we make a recommendation but we are an advisory board. We represent the residents of Cedar, but the elected officials make the recommendation. Sherene – My issue is the \$15000 just in case there is a light issue. I would like to use it to help others. Carrie – She has threatened legal action but Paul says it hasn’t got merit. Anita – The heating system is small investment and will lower the bills. Sherene – What about the outside lockers? Carrie – This would cover the heating. Dan – YETI came in as a temporary entity. If we end up having an indoor arena at some point, we need to think of that. Paving is the most permanent. Vickie – How permanent is the skate rink? Carrie – I don’t know. We’re negotiating for another single year lease. Dan – There’s not a definitive master plan for what will go there.

SUU ENGAGEMENT CENTER

David – Wally had good points. I’m worried about it getting washed out by the rain. Placing it in the middle of the median seems a little sketchy. I’m not sure this is the right project. Dan – This is the City co-signing on a project. I’m not sure the City will enter into long-term agreement to do the maintenance. There could be a problem with the MOU and with UDOT. Sherene – We keep adding projects and there is not enough man-power to maintain them. Wally – There is no guarantee SUU will be committed forever. The City always takes over maintenance on UDOT projects. We don’t have the resources to maintain it if we have to take over. Casey – Keep in mind that the RAP Tax is created from sales tax revenue. All the projects would be fantastic, but when we fund a project, we need to fund one that gives the long term benefits of increased RAP Tax. Will this project make people want to return to our community? I don’t think so. I think we should keep this in mind. Some of these projects create revenue for us and may potentially create some revenues for our community and they can generate more RAP Tax funds that we can allocate to different projects in the future. That’s what I will be looking at this week. Mauri – I feel like this money is here to use for things for the betterment of our community.

Casey – USG could utilize the trail system, but we can also generate revenue as well. Sherene – Everyone's passion is in a different area and each of us has a different thinking process. They're all good. David – The number of people affected by the project is what I go by. Special interest projects are lower in priority to me. If anybody and everybody can use them and there are no barriers for usage by people of all kinds, I rate those the most highly. If there is an entrance fee, in the end there is less benefit to the community. Mauri – There are people in the community who are trying to increase revenue. Casey – Some of these can serve the community and generate revenue. Mauri – Could we go on a field trip and look at some of these projects? Can we go more than three members? Paul – We can publicize the meeting, and then go out and take a look. If there is a time the majority to go, give us 24 hours and then we can post it. Mauri – Looking at the proposed projects helps. Paul – Friday morning at 9 a.m. We'll meet in the Main Office and we'll all go.

David – I encourage all to run through the numbers and come with your thoughts on the recommendations. We have some talking points during the process. People will make proposals so come with some ideas. Paul – Will vote next Tuesday at 1 p.m.

ADJOURN:

Meeting adjourned at 3:40 p.m.

Barbara Barrick
Executive Secretary

**Cedar City Parks and Recreation RAP Tax Advisory Committee
Action Meeting
July 15, 2014**

The Cedar City Parks and Recreation RAP Tax Advisory Committee held its action meeting on Tuesday, July 15, 2014 at 1:00 p.m., in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

PRESENT:

Board Members: David Louthan, Anita Bunker, Vickie Christian, Ron Adams, Mauri Bleazard, City Attorney Paul Bittmenn, Executive Secretary Barbara Barrick.

EXCUSED: Sherene Carter.

OTHERS: Kerry Fain, Dan Rodgerson, Austin Bingham, Martin Tyner, Susan Tyner, Todd Prince, Tracie Sullivan.

CALL TO ORDER: David called the meeting to order at 1:01 p.m. David – We visited the sites and will make our recommendations. It can be difficult to make the adjustments at the end, so I hope that everyone has done some math.

DISCUSSION:

CEDAR CITY LEISURE SERVICES: Mauri – I know we had said that it doesn't matter what we think should go there, but we need to break it down. I think we should send to the Council that we think a water fountain is needed but not trash cans, etc. Last year we said we didn't want the fountain and it mattered to the Council.

Main Street Park Proposal: The request is for \$105,000 for the improvements there. My thoughts are that we shouldn't continue the rock fence.

Landscaping – Mauri – It needs to be finished and done and not look like it is waiting for something. Anita – There are so many projects. I am more apt to weigh what is more pressing in the other parks. David – We'll discuss each one and then come back with our recommendations. Mauri – Shade trees and irrigation are not as necessary as some of the other requests. David – I think it's important. A park without trees is just a soccer field. It is an investment. Casey – There is something going on there each weekend, and it is on display. Long term, trees are shelter, safety, shade, and look nice. I am with you and think it is important. I think we should fund but take out the fence at Main Street Park as it is used by thousands each year. It is an investment for our future. Tour of Utah is using the park and it will be on national and worldwide television.

Ron – We've lost a lot of trees and had to do a lot of trimming due to the storm on Mother's Day. Anita – Irrigation goes along with the trees, right? Dan – Yes.

East Canyon Park Proposal: Anita – It would be great to have the mow strip around the playground and the drinking fountains, but the trash cans are okay. The bathrooms still look great for a park. Dan – Remember the safety issues with the trip hazards. I would like to prioritize them according to safety. Mauri – The concrete and drinking fountains were pretty bad when we went and looked at the site. Casey – I think the facilities are the most important because they are utilized. The sidewalks need repair. I think we should fully fund this project. Vickie – I think the trash cans are fine. Dan – We have 55 gallon drums for trash cans. It is an esthetic issue. We would like to have the same amenities throughout our park system.

Bathrooms at the Ballfields: Request was for \$85,000. David – I think they are needed. Mauri – I think it should be a lower priority. Anita agrees. Anita – I'm glad I went to visit because they aren't at the far ends of the park and are in the middle so that moms can keep an eye on their kids. That had been my concern.

CEDAR CITY LIONS CLUB:

They are requesting \$25,000. Dan – They want to pull some of the elements off of the Library and somehow make them conform to the pavilion.

CEDAR CITY TRAILS COMMISSION:

David – There wasn't a specific project this year. Mauri – They have to get them done as they get the right of ways. They always do a great job with the funds they are given. Anita – Was the \$100,000 for a certain thing? Dan – Trail expansion depends on property easements, the railroad, etc. Anita – Can we put this on the back burner until we know about these issues? David – Let's discuss the rest and come back. I like the trail system and the utilization is high. The more they are connected, the more utilization will increase. They are available to anyone at any time. Casey – This is also an investment in our community and in our people. It is extremely important that we continue with that project. It is difficult each year to disappoint these people who need funding. The problem with putting it on the back burner is we're saying we'll get around to it. It is already somewhat pieced together. It's important to send the message that it will connect someday.

CEDAR RIDGE GOLF COURSE:

David – They want \$20,000 for landscaping. Anita – I felt like we should give them the entire request. Mauri – We wondered if some of the trees could be saved. Jared – I think there's two that could be saved. Anita – How about demolition as an Eagle Scout project. Jared – We do Eagle Scout projects all the time out there, but we could do it in hours not weeks like an Eagle Scout project.

IRON MISSION MUSEUM FOUNDATION:

David – They are asking for \$12,000. This will be matched. Anita – I would like to see all \$12,000 be funded. Todd – I know several of you came out to the park. Mauri – You need something there, and the rest of the park looks great.

SOUTHWEST WILDLIFE FOUNDATION:

Mauri – I called North Elementary and asked a teacher about this. All of the teachers went and looked at it and consider it an outdoor classroom and they are excited about it and all want to use it. Martin – SUU is using it as well. We are hoping that the other elementary schools will jump on board this year. David – You will be on a septic system, how often will it need to be pumped? Martin – Not for many, many years. David – I have experience with this. This will have a lot use and I suspect you will need to pump it. Have you looked at the costs? Martin – We had looked at pit toilets, but don't want them in the City limits. We currently have \$70,000. They are going to get built even if we just get funds for the site development. Cedar City put in 12% for the bridge and we raised the rest. David – What agreement would you have with the City? Martin – It would be like the current ones we have. We will meet the state RAP Tax requirements. We will own it, we will maintain it, and it will be open to the public. Vickie – Who will maintain it? Martin – Our volunteers. We'll eventually have full-time employees. Vickie – I have a problem thinking you will have enough manpower to maintain them. I've been out there twice recently and the trashcans are full to overflowing. Martin – We haven't been out there as often as we'd like. Casey – No disrespect meant, but there are a lot of ifs with this proposal. I'd love to have the facility, but maybe with the City involved. I have some concerns. I'm not knocking you guys, but your job is not to clean the toilets. If City money is involved they should have some involvement. Anita – I think the City would be okay to do this as the residents use it all the time. Martin – You should look at us like USF, a world-class million dollar facility. But when it was 10 years old they were like us. Casey – But SUU cleaned the restrooms. Mauri – I'm not sure you're ready for it. David – If we feel this is needed, we can make recommendations. Anita – Give them \$20,000 for site development and get it started. Susan – The Southwest Wildlife Board and our attorney would be interested in working with Paul to work out an agreement. Martin – We will have plenty of volunteers to maintain the restrooms.

YETI:

David – They are asking for \$5000 for power; \$1900 for a heat air curtain; \$23,000 to asphalt the parking area; and \$15,000 for adjusting the lighting. Casey – I have some questions. If your project is not funded, will you still pay the City for how much heat costs you? We are giving you money, so you can pay less money back to the City: Kerry – It's not just the heating bill, but it's uncomfortable for the patrons. David – In your financials, you show a net income of \$21,000. Kerry – 50% will go to Staheli family to pay back what they put into the project and a portion goes to the City. We pay power and upkeep. A lot went back into our program for gas for heaters and a Zamboni. A lot went back into hockey programs, etc. Our City bills come in later, so they may not be out of the total yet. We have \$30,000 on hand for needed upgrades. Casey – What about the dressing areas? Kerry – That's not part of the request, it is just the power to it. That's the \$5000 request. Casey – When will we know about a long-term agreement? I think it's a fantastic project, but seems weird to fund a project to pay someone to do business at our facility. The parts that would benefit the City are the containers and the parking. I have some concerns with this one. Kerry – Even if we

went away tomorrow, there is something there for another entity that will benefit the City. Mauri – With the kids in swimsuits and the draft from the open door, it's freezing. Kerry – It affects the whole Aquatic Center. David – We'd be crazy not to do the air curtain regardless of who's paying the bill. Dan – It will save YETI money. There was not supposed to be a cost to the City. The paving they want to do is close to the paved strip that is already in. Although it's only \$23,000 of paving at least it's more that is already there, and it's a permanent benefit. Anita – You are self-sufficient and didn't go into debt. How much debt to we go into for the Aquatic Center? It's refreshing to have something that is self-supporting. Casey – We want you to stay. Kerry – I appreciate the question, that's how people know what's going on. Casey – What about light pollution, will it cost the City? Paul – If she wants to file suit, she will and it will cost us funds to defend the suit. It usually costs us about \$20,000. We own the lights and might be liable. David – There's no guarantee that person would be pleased with the re-adjustment, anyway. It sounds like a "just in case" scenario to me.

SUU COMMUNITY ENGAGEMENT CENTER:

David – The request is for \$6,247. This is landscaping on the south end of Main Street. I noticed there was a lot of litter there. Mauri – I think it's a great project but I don't think we're ready. I don't think the plants will survive. All agree.

DISCUSSION:

Main Street Park Proposal:

Motion by Casey to recommend \$35,000, but take out the decorative fence. Second by Mauri. Vickie abstains, the rest of the committee voted in favor. Motion passed.

East and West Canyon Park:

Vickie – It would look better with the lights replaced. I like the existing ones though, and is there a way to fix the existing lights? Mauri – It's nice to renovate, but the existing bathrooms are okay. Casey – I love this group. If we do it half way, when are we going to commit to doing a project right? Let's give these guys the opportunity to be successful so they don't have to come back each year. Anita – So many kids play at the park it won't stay fixed. I would say just do the things that are pressing.

Vickie – I would scratch the trash cans and the globes. Anita – If you do one globe, you should do them all.

Mauri – I move to recommend \$61,000, taking out the \$4,000 for the trash cans. Second by Casey. Vote unanimous.

Bathroom at ballfields

LIONS CLUB

Anita moved to give entire amount. Second by Casey; vote unanimous.

TRAILS

Ron – I think it's good to continue the trail system, but what is the next plan? I know we need to do connections on the south interchange. Dan – I agree with Casey, let's look

at the other projects as this can be scaled back.

GOLF COURSE

Vickie moved to give the entire requested amount. Second by Anita. Vote unanimous.

IRON MISSION MUSEUM FOUNDATION

Anita full 12,000. Second by Mauri. Vote unanimous

SOUTHWEST WILDLIFE FOUNDATION

Mauri – I move to give \$20,000 to site development, Second by Anita. Casey and Vickie voted Nay; David, Anita, Mauri, Ron voted Aye. Motion passes. Casey – Let's discuss. How do we work together with the City and SW Wildlife? Everyone I saw was using the trail system and I think it would behoove the City to get involved in this. Trail users would be the restroom- goers. I don't think a volunteer wants to clean toilets each day. Vickie – Elementary schools will use it. David – We make a recommendation and City Council has to forge the agreement. Paul – You will recommend that the City be involved in the maintenance of the facility and it will be in the minutes. Dan – It's more of a political decision. City Council doesn't want to take on more projects. They usually like to fund something they don't maintain. It's not something that the City will want to do. We could set an expectation for the cleanliness of the facility in the contract.

YETI

Anita – I think we should give enough for the curtain at least. Mauri – Paving is important. Anita – I move to give \$24,890 for the paving and for the curtain. Kerry - \$2,000 of the \$5,000 was for electrical upgrades for the curtain. David – I love the idea of finishing the parking lot, but not piecing it. Casey – If YETI leaves, what happens to the curtain? I have some concerns. Dan – No one will go out the back door without the ice rink out there. Casey – I don't think it makes sense long-term. Dan – Council is waiting to see if the ice rink is viable. We'll see after the second or third year of operation. Ron – That is a good observation. We are waiting to see. Paul – We spent \$90,000 doing site work last year. Move to give funds for the curtain and the paving for a total of \$26,890 by Anita. Second by Mauri. Vote unanimous.

SUU ENGAGEMENT CENTER

Anita moved to not fund this application. Second by Mauri; vote unanimous.

TRAILS

Mauri – I move to give the \$92,778 remainder to trails; second by Anita. Vote as follows: Aye – Mauri, Anita, David, Ron, Casey Nay – Vickie

Mauri – Having a Council Member on the committee changes the vote. Paul – It is a seven member body. Ron doesn't speak for the whole Council; no individual member speaks for the whole Council, three is a majority.

Dan – If restrooms are seen as necessary, then we can allocate a value for them and tell the City to figure this in the budget for next year. Or ask the Tourism Bureau to help fund them.

Paul – If the funds are not spent, they go back in the pot with the Arts unspent funds.

David – Let's revisit this. Regarding the bathrooms at the ballfields and the Trails. We still have \$92,778 to be allocated. Vickie – We can give the money for the bathrooms and give the remainder to the Trails. They can use whatever money we give them. Then they can get more funds next year for trails. Anita – Then there would be nothing much left for trails.

Casey – How about a partnership for funding the bathrooms? The Trails Committee doesn't have other revenue and I think there is potential up there at the ballfields for a collaboration. Dan – We possibly could obtain funds from Tourism and from the County. You are absolutely right. Casey – I think that is what the RAP Tax is built for. We use the fields for the Summer Games and we do have a functioning restroom. I think a fully functioning trails system will make our community stand out. David – The completion of the south interchange will make the trails even more visible to the community and to visitors and it would be a boon to the trail system. I think we could wait on the trail system.

FINAL RECOMMENDATIONS

Leisure Services:

\$35,000 for electrical work at Main Street Park

\$61,000 for the Canyon Parks

0 for ball fields bathrooms

Lions Club:

\$25,000

Trails:

\$92,778

Golf Course:

\$20,000

Iron Mission:

\$12,000

Southwest Wildlife Foundation:

\$20,000

YETI:

\$26,890

David – The SW Wildlife grant will be contingent on forging an agreement with the City for maintenance and use.

Motion for final approval of the amounts listed above by Casey. Second by Anita. Vote unanimous.

OTHER BUSINESS:

Paul – The Council meeting on your recommendations will be on August 6th. Thanks for all of your input. It is valuable.

ADJOURN:

Meeting adjourned at 2:30 p.m.

Barbara Barrick
Executive Secretary

#4

**CEDAR CITY CORPORATION
AUDIT AND CONSULTING RFP EVALUATION**

Rank	Company	Location	Audit Fee 2014	Audit Fee 2015	Audit Fee 2016	Billable Hours / Rate
1	Kimball & Roberts	Richfield	\$18,900	\$19,700	\$20,500	180 @ \$105
2	HintonBurdick	Cedar City / St. George	\$26,000	\$26,850	\$27,700	326 @ \$80
3	Hafen Buckner	St. George	\$20,750	\$21,150	\$21,550	125 @ \$166
4	Rees	Cedar City	\$16,000	\$16,000	\$16,000	124 @ \$129
5	Precise Tax	Cedar City	\$45,000	\$45,000	\$45,000	430 @ \$105

The following criteria were considered when making an evaluation of the proposals:

A. Technical Factors

1. *Responsiveness of the proposal in clearly stating an understanding of the audit services to be performed.*
 - a. *Appropriateness and adequacy of proposed procedures.*
 - b. *Reasonableness of time estimates and total audit hours.*
 - c. *Appropriateness of assigned staff levels.*
2. *Technical experience of the firm.*
3. *Qualifications of staff.*
4. *Size and structure of firm, considering the scope of the audit.*
5. *Geographic location of key personnel and responsible office.*

B. Cost of the Audit

The FY15 budget for audit fees is \$24,000.

**CEDAR CITY
CITY COUNCIL AGENDA ITEM 5
STAFF INFORMATION SHEET**

To: Mayor and City Council

From: Jonathan Stathis

Council Meeting Date: August 6, 2014

Subject: **Consider bids for the Cedar City Fencing Project located at Quichapa Well #5, Quichapa Well #6, Cedar Canyon Water Tank, and South Interchange Trail.**

Discussion: This project involves the installation of new fences at the following locations: Quichapa Well #5, Quichapa Well #6, Cedar Canyon Water Tank, and the South Interchange Trail.

Cedar City received two (2) bids for the Cedar City Fencing Project. The low bidder for the project is Robinson Fencing of Cedar City. The following table shows a summary of the bids that were received, including the alternate bid items.

Bid Summary with Alternates

Name of Contractor	Bid Amount
Robinson Fencing	\$59,378.00
Mountain States Fence	\$86,153.40

The alternate bid items were to remove the existing fence at the old Cedar Canyon Tank and re-use the materials at the new tank. However, the credit for using the old materials would only be \$500 and so staff feels that it would be better to just leave the old fence up for now. This will allow the tank to remain secure until a decision is made regarding whether the old tank is going to be re-used or torn down.

Bid Summary without Alternates

Name of Contractor	Bid Amount
Robinson Fencing	\$59,778.00
Mountain States Fence	\$87,173.40

It is recommended that the bid be awarded to Robinson Fencing without the alternate bid items, in the amount of \$59,778.00.

If this bid is awarded it would be on the condition that the contractor provide the required executed bonding, insurance documents, immigration status verification, and that the Mayor be authorized to sign the contract with the Contractor.

The following tables provide a summary of the proposed budget for each portion of the project:

**Project Funding
South Interchange Trail Overpass Fencing
(Account #10-83-730)**

	<u>Funding</u>	<u>Expenses</u>	<u>Balance</u>
<u>Funding</u> –			
Acct. #10-83-730 (South Interchange Fence)	\$21,000		
<u>Expenses</u> –			
Construction Contract for Fence Project		(\$15,358)	
Materials Testing (1%)		(\$154)	
Miscellaneous/Contingency (5%)		(\$768)	
Totals –	\$21,000	(\$16,280)	\$4,720

**Project Funding
Security Fence for Quichapa Wells #5 & #6
(Account #51-40-720)**

	<u>Funding</u>	<u>Expenses</u>	<u>Balance</u>
<u>Funding</u> –			
Acct. #51-40-720 (Fences at Quichapa Wells 5 & 6)	\$51,000		
<u>Expenses</u> –			
Construction Contract for Fence Project		(\$31,803)	
Engineering (10%)		(\$3,180)	
Materials Testing (1%)		(\$318)	
Miscellaneous/Contingency (5%)		(\$1,590)	
Totals –	\$51,000	(\$36,891)	\$14,109

Project Funding
Cedar Canyon Water Tank Replacement
(Account #51-40-722)

	<u>Funding</u>	<u>Expenses</u>	<u>Balance</u>
<u>Funding –</u>			
Acct. #51-40-722 (Cedar Canyon Water Tank, FY14)	\$1,025,000		
Acct. #51-40-740 (Spilsbury Booster Pump Replacement)	\$20,000		
Acct. #51-40-734 (Shurtz Spring Line)	\$30,000		
Acct. #51-40-722 (Cedar Canyon Water Tank, FY15)	\$175,000		
<u>Expenses –</u>			
Construction Contract for Tank		(\$1,027,063)	
Engineering (2.25%)		(\$23,109)	
Materials Testing (1%)		(\$10,271)	
Purchase used tank and other misc. costs		(\$25,300)	
Change Order #1		(\$53,885)	
Misc. items (SCADA, cathodic protection, etc.)		(\$25,000)	
Demolish old tank		(\$25,000)	
Construction Contract for Fence Project		(\$12,617)	
Materials Testing for Fence Project (1%)		(\$126)	
Totals –	\$1,250,000	(\$1,202,371)	\$47,629

**CEDAR CITY COUNCIL
AGENDA ITEM 6**

DECISION PAPER

TO: Mayor and City Council

FROM: Russ Volk

DATE: August 6, 2014

SUBJECT: FAA Airport Improvement Project AIP-28 Grant Agreement

RECOMMENDATION: Recommend review of Grant Agreement and authorization for Mayor to sign agreement

DISCUSSION: The Federal Aviation Administration is providing a grant of \$850,000 for Airport Improvement Projects to accomplish asphalt replacement of the airport helipad and moving the segmented circle and windsock.

Agreement for the grant obligates Cedar City Corp for 5% of the total grant or \$42,500.00. The current FY 2014/2015 airport budget contains the funds necessary to cover the cities cost share.



U.S. Department
of Transportation
Federal Aviation
Administration

GRANT AGREEMENT

PART I – OFFER

Date of Offer	July 25, 2014
Airport/Planning Area	Cedar City Regional Airport
AIP Grant Number	3-49-0005-028-2014 (Contract No. DOT-FA14NM-1042)
DUNS Number	07-301-3153

TO: Cedar City Corporation, Utah
(herein called the "Sponsor")

FROM: The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated January 16, 2014, for a grant of Federal funds for a project at or associated with the Cedar City Regional Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Cedar City Regional Airport (herein called the "Project") consisting of the following:

Rehabilitate Heliport/Helipad

which is more fully described in the Project Application.

NOW THEREFORE, according to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014 and revised on April 3, 2014, and the Sponsor's acceptance of this Offer, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided,

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay 95 percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$850,000. For the purposes of any future grant amendments which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b), the following amounts are being specified for this purpose:
 - \$ 0 for planning
 - \$ 850,000 for airport development or noise program implementation
 - \$ 0 for land acquisition.
2. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
3. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
4. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies and procedures of the Secretary. The Sponsor also agrees to comply with the assurances which are part of this agreement.
5. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
6. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before August 15, 2014, or such subsequent date as may be prescribed in writing by the FAA.
7. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.
8. **United States Not Liable for Damage or Injury.** The United States is not be responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
9. **System for Award Management (SAM) Registration And Universal Identifier.**
 - A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the

SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).

B. Requirement for Data Universal Numbering System (DUNS) Numbers

1. The Sponsor must notify potential subrecipient that it cannot receive a contract unless it has provided its DUNS number to the Sponsor. A subrecipient means a consultant, contractor, or other entity that enters into an agreement with the Sponsor to provide services or other work to further this project, and is accountable to the Sponsor for the use of the Federal funds provided by the agreement, which may be provided through any legal agreement, including a contract.
2. The Sponsor may not make an award to a subrecipient unless the subrecipient has provided its DUNS number to the Sponsor.
3. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866-492-0280) or the Internet (currently at <http://fedgov.dnb.com/webform>).

10. Electronic Grant Payment(s). Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi Invoicing System for Department of Transportation (DOT) Financial Assistance Awardees.

11. Informal Letter Amendment of AIP Projects. If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter to the Sponsor unilaterally reducing the maximum obligation. The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. If the FAA determines that a change in the grant description is advantageous and in the best interests of the United States, the FAA can issue a letter to the Sponsor amending the grant description.

By issuing an Informal Letter Amendment, the FAA has changed the grant amount or grant description to the amount or description in the letter.

12. Air and Water Quality. The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this grant.

13. Financial Reporting and Payment Requirements. The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.

14. Buy American. Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.

15. **Maximum Obligation Increase for Primary Airports.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:

- A. may not be increased for a planning project;
- B. may be increased by not more than 15 percent for development projects;
- C. may be increased by not more than 15 percent for land project.

Audits for Public Sponsors. The Sponsor must provide for a Single Audit in accordance with 2 CFR Part 200. The Sponsor must submit the Single Audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. The Sponsor must also provide one copy of the completed 2 CFR Part 200 audit to the Airports District Office.

16. **Suspension or Debarment.** The Sponsor must inform the FAA when the Sponsor suspends or debars a contractor, person, or entity.

17. **Ban on Texting When Driving.**

- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 - 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
 - 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting when driving in all subgrants, contracts and subcontracts

18. **Trafficking in Persons.**

- A. Prohibitions: The prohibitions against trafficking in persons (Prohibitions) that apply to any entity other than a State, local government, Indian tribe, or foreign public entity. This includes private Sponsors, public Sponsor employees, subrecipients of private or public Sponsors (private entity) are:
 - 1. Engaging in severe forms of trafficking in persons during the period of time that the agreement is in effect;
 - 2. Procuring a commercial sex act during the period of time that the agreement is in effect; or
 - 3. Using forced labor in the performance of the agreement, including subcontracts or subagreements under the agreement.
- B. In addition to all other remedies for noncompliance that are available to the FAA, Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), allows the FAA to unilaterally terminate this agreement, without penalty, if a private entity –
 - 1. Is determined to have violated the Prohibitions; or
 - 2. Has an employee who the FAA determines has violated the Prohibitions through conduct that is either—
 - a. Associated with performance under this agreement; or
 - b. Imputed to the Sponsor or subrecipient using 2 CFR part 180, "OMB Guidelines to Agencies on

Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by the FAA at 49 CFR Part 29.

19. **Exhibit A Incorporated by Reference.** The Exhibit "A" updated August 24, 2006 filed with AIP Project 3-49-0005-014, is incorporated herein by reference.

SPECIAL CONDITIONS

20. **Current FAA Advisory Circulars for AIP Projects:** The sponsor will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars Required For Use In AIP Funded and PFC Approved Projects, dated March 20, 2014, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.
21. **Assurances:** The Sponsor agrees to comply with the Assurances attached to this offer, which replaces the assurances that accompanied the Application for Federal Assistance.
22. **Pavement Maintenance Management Program:** The Sponsor agrees that it will implement an effective airport pavement maintenance management program as required by Grant Assurance Pavement Preventive Management. The Sponsor agrees that it will use the program for the useful life of any pavement constructed, reconstructed, or repaired with federal financial assistance at the airport. The Sponsor further agrees that the program will
1. Follow FAA Advisory Circular 150/5380-6, "Guidelines and Procedures for Maintenance of Airport Pavements," for specific guidelines and procedures for maintaining airport pavements, establishing an effective maintenance program, specific types of distress and its probable cause, inspection guidelines, and recommended methods of repair;
 2. Detail the procedures to be followed to assure that proper pavement maintenance, both preventive and repair, is performed;
 3. Include a Pavement Inventory, Inspection Schedule, Record Keeping, Information Retrieval, and Reference, meeting the following requirements:
 - a. Pavement Inventory. The following must be depicted in an appropriate form and level of detail:
 - 1) location of all runways, taxiways, and aprons;
 - 2) dimensions;
 - 3) type of pavement, and;
 - 4) year of construction or most recent major rehabilitation.
 - b. Inspection Schedule.
 - 1) Detailed Inspection. A detailed inspection must be performed at least once a year. If a history of recorded pavement deterioration is available, i.e., Pavement Condition Index (PCI) survey as set forth in the Advisory Circular 150/5380-6, the frequency of inspections may be extended to three years.
 - 2) Drive-By Inspection. A drive-by inspection must be performed a minimum of once per month to detect unexpected changes in the pavement condition. For drive-by inspections, the date of inspection and any maintenance performed must be recorded.
 4. Record Keeping. Complete information on the findings of all detailed inspections and on the maintenance performed must be recorded and kept on file for a minimum of five years. The type of distress, location, and remedial action, scheduled or performed, must be documented. The minimum information is:
 - a. inspection date;
 - b. location;

- c. distress types; and
- d. maintenance scheduled or performed.
- e. Information Retrieval System. The Sponsor must be able to retrieve the information and records produced by the pavement survey to provide a report to the FAA as may be required.

23. Projects Which Contain Paving Work in Excess of \$250,000: The Sponsor agrees to:

- a. Furnish a construction management program to the FAA prior to the start of construction which details the measures and procedures to be used to comply with the quality control provisions of the construction contract, including, but not limited to, all quality control provisions and tests required by the Federal specifications. The program must include as a minimum:
 - 1) The name of the person representing the Sponsor who has overall responsibility for contract administration for the project and the authority to take necessary actions to comply with the contract.
 - 2) Names of testing laboratories and consulting engineer firms with quality control responsibilities on the project, together with a description of the services to be provided.
 - 3) Procedures for determining that the testing laboratories meet the requirements of the American Society of Testing and Materials standards on laboratory evaluation referenced in the contract specifications (D 3666, C 1077).
 - 4) Qualifications of engineering supervision and construction inspection personnel.
 - 5) A listing of all tests required by the contract specifications, including the type and frequency of tests to be taken, the method of sampling, the applicable test standard, and the acceptance criteria or tolerances permitted for each type of test.
 - 6) Procedures for ensuring that the tests are taken in accordance with the program, that they are documented daily, and that the proper corrective actions, where necessary, are undertaken.
- b. Submit at completion of the project, a final test and quality control report documenting the results of all tests performed, highlighting those tests that failed or that did not meet the applicable test standard. The report must include the pay reductions applied and the reasons for accepting any out-of-tolerance material. An interim test and quality control report must be submitted, if requested by the FAA.
- c. Failure to provide a complete report as described in paragraph b, or failure to perform such tests, will, absent any compelling justification; result in a reduction in Federal participation for costs incurred in connection with construction of the applicable pavement. Such reduction will be at the discretion of the FAA and will be based on the type or types of required tests not performed or not documented and will be commensurate with the proportion of applicable pavement with respect to the total pavement constructed under the grant agreement.
- d. The FAA, at its discretion, reserves the right to conduct independent tests and to reduce grant payments accordingly if such independent tests determine that sponsor test results are inaccurate.

24. Agency Agreement: The FAA, in tendering this Offer on behalf of the United States, recognizes the existence of an Agency relationship between the Sponsor, as principal, and the Utah Division of Aeronautics, as agent. The Sponsor agrees that it will not amend, modify, or terminate said Agency Agreement without prior written approval of the FAA or its designated representative.

25. Final Project Documentation: The Sponsor understands and agrees that in accordance with 49 USC 47111, and the Airport District Office's concurrence, that no payments totaling more than 97.5 percent of United States Government's share of the project's estimated allowable cost may be made before the project is determined to be satisfactorily completed. Satisfactorily complete means the following: (1) The project results in a complete, usable unit of work as defined in the grant agreement; and (2) The sponsor submits necessary documents showing that the project is substantially complete per the contract requirements, or has a plan (that FAA agrees with) that addresses all elements contained on the punch list.

26. **AGIS Requirements:** Airports GIS requirements, as specified in Advisory Circular 150/5300-18, apply to the project included in this grant offer. Final construction as-built information or planning deliverables must be collected according to these specifications and submitted to the FAA. The submittal must be reviewed and accepted by the FAA before the grant can be administratively closed.

#

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**

(Signature)

John P. Bauer

(Typed Name)

Manager, Denver Airports District Office

(Title)

PART II - ACCEPTANCE

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.¹

Executed this _____ day of _____, _____.

CEDAR CITY CORPORATION, UTAH

(Name of Sponsor)

(Signature of Sponsor's Designated Official Representative)

By:

(Printed Name of Sponsor's Designated Official Representative)

Title:

(Title of Sponsor's Designated Official Representative)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Utah. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this _____ day of _____, _____.

By _____

(Signature of Sponsor's Attorney)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

**CEDAR CITY COUNCIL
AGENDA ITEM 7
DECISION SHEET**

TO: Mayor and City Council
FROM: Chief Robert D. Allinson
DATE: 30 July 30, 2014

SUBJECT: Declare Three Vehicles as Surplus Property for Public Auction for the Iron/Garfield/Beaver Narcotic Task Force.

DISCUSSION: The Iron/Garfield/Beaver Task Force is governed by a board of directors. However, in 1989 when the Task Force was organized, the decision was made to have Cedar City act as the fiduciary of all Task Force funds and spending. Therefore, they fall under the umbrella of the City's procedures.

The Task Force is the owner of three vehicles that they received through the courts as seized vehicles. These vehicles have been used for investigative purposes by the Task Force and are no longer needed. They are:

1. 1996 GMC Yukon s/n 3GKEK18ROTG518297 (65,512 miles wrecked)
2. 2004 Dodge Ram Truck 1500 s/n 1D7HU18N94J149347 (130,278 miles)
3. 1992 Honda Prelude s/n JHMBB2252NC002070 (178,967 miles)

The Task Force Board request the City declare the three vehicles as surplus so they may be sold at public auction.

**CEDAR CITY COUNCIL
AGENDA ITEM 8
DECISION SHEET**

TO: Mayor and City Council
FROM: Chief Robert D. Allinson
DATE: 30 July 30, 2014

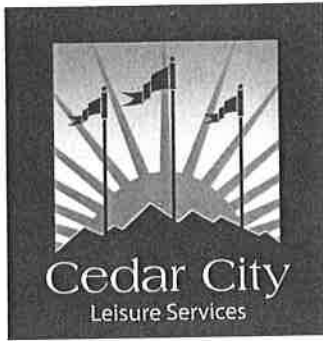
SUBJECT: No Parking Zone on Cross Hollows Drive at Entrance to WalMart

DISCUSSION: The police department has received several complaints from residents concerning semi trucks and trailers parking on Cross Hollows Drive at the south west entrance into WalMart blocking their view of east bound traffic as they attempt to leave the parking lot.

The area along Cross Hollows Drive between the entrance at the front of the building and the entrance into the rear area of WalMart (by the automotive area) can accommodate three semi trucks and trailers. We would like Council to consider, at the request of residents, to paint the curb red for 55 feet prohibiting vehicles from parking. This will increase the line of sight for on-coming traffic to allow a safer entry onto Cross Hollows Drive from the WalMart parking lot. This length of red curb is the approximate length of a semi with trailer which would still allow for two semis to park along Cross Hollows Road.

The police department asked our VIPS to observe traffic in the area. They did this six separate occasions for 30 minutes each time. During the period of observation, three semi truck and trailers were parked on the street, none of them belonging to WalMart. An average of 100 vehicles entered the parking lot; about 20 exited the parking lot turning right; and 10 exited turning left. The right turns were made with little hesitation however the left turns were typically hesitant, moving slowly into the traffic lane to try and see oncoming traffic. We presently do not have a history of accidents at this location but we are seeing an increase in traffic on Cross Hollows Drive from the west and anticipate it continue to do so as more development takes place.

#9



Cedar City

2090 W. Royal Hunte Dr. • Cedar City, Utah 84720

(435) 865-9223 • Fax (435) 867-6075

www.cedarcity.org

To: City Council

From: Dan Rodgerson

Re: Deseret Industries Agreement

Date: August 4, 2014

Deseret Industries has an excellent transitioning program of placing employees in the work force. Paul Stevens has recommended one of his staff for potential part-time employment with the City.

The agreement is quite simple. Deseret Industries will pay the salary of the employee for six weeks as the candidate is trained. The hope and expectation is that the City will hire the individual but there is no obligation.

I admire and support the efforts of Deseret Industries and would like to utilize this program as a way of recruiting in the future.



Deseret Industries

Business Partnership Letter of Agreement

Instructions: This document is a template for a letter of agreement between the associate, the business partner, and Deseret Industries and will be customized to meet the needs of each business partnership. An Individual Work Training Plan should be completed by the associate, job coach, and supervisor assigned by the business partner, with support and input from the development team, as an addendum to this Letter of Agreement.

The parties listed below have agreed to participate in a business partnership as follows:

Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints

DESERET INDUSTRIES:

Contact Person
Paul Stevens

Phone
435-586-3337

Address
110 W 535 S Cedar City, Utah 84720-3195

BUSINESS PARTNER: Company:

Contact Person

Phone

Address

ASSOCIATE:

Name
Martha Peterson

Phone
435-574-7915

Address
2245 100E APT #A

Contact Details

The parties agree as follows:

1. Deseret Industries agrees to:

- Use the Individual Work Training Plan to guide the work training experience
- Pay associate wages
- Continue providing workers compensation coverage for the associate
- Provide training support via an assigned job coach
- Be in regular contact with the associate and business partner

2. Business Partner agrees to:

- Use the Individual Work Training Plan to guide the work training experience
- Provide agreed upon meaningful work for the associate in the position of _____
- Provide on-going training and performance feedback to the associate based on the Individual Work Training Plan and the performance of the associate
- Complete and submit a weekly report form and timesheet to the assigned job coach (templates attached). Timesheet is signed by the business partner and associate and returned to the job coach in time to meet payroll processing deadlines.
- Supervise the associate's work and be liable for property damage or injuries to the business partner or others caused by the associate during the work training experience.
- Comply with OSHA recording regulations and notify Deseret Industries immediately in the event of associate injury, or potential damage to property or injuries to business partner or others caused by the associate. In the case of an on-the-job injury requiring medical attention, the associate will need to receive treatment in a designated Deseret Industries work care facility:

Name of Facility

Phone

Address

Contact Name

3. Associate agrees to:

- Use the Individual Work Training Plan to guide the work training experience
- Be to work each assigned day on time
- Notify the business partner and job coach of any attendance issues
- Perform agreed upon work, including requested overtime
- Work hard and safely
- Participate in all training opportunities provided
- Be honest

4. Length of Partnership:

This partnership will begin _____ and is expected to be 6 weeks in length. The partnership will conclude by _____.

This agreement may be terminated by any party for any reason at any time upon written notice to the other parties, including to accept a job offer.

Partnering Organization Representative Signature

Print Name

Date

Deseret Industries Representative Signature

Print Name
Paul H. Stevens

Date
7/21/14

CEDAR CITY COUNCIL
AGENDA ITEM 10

INFORMATION SHEET

TO: Mayor and City Council

FROM: Rick Holman

DATE: August 4, 2014

SUBJECT: Disposal of City-owned parcels

DISCUSSION: Recently the City has been approached about two parcels of property to determine the interest in disposing of said parcels.

Parcel 1 is located on the southeast corner of U-56 and Cross Hollow Road. It is adjacent (west) of the AmeriGas business. It is .896 acres with the railroad right of way on the north of the parcel. It is zoned General Commercial.

Parcel 2 is located on Airport Circle (west of Airport Road). It is .263 acres and is zoned I&M 1.

The Planning Commission has recommended that these parcels be considered for disposal.

If the Council supports this recommendation, the staff will publish a Request For Proposal to solicit interest in these two parcels.

Appraising UTAH LLC

435-586-9696
337 South Main Street #122
Cedar City, UT 84720

Appraiser:

Appraiser: Jason Bushnell
Phone: 435-586-9696
Fax: 435-578-9112
Email: Jason@Appraisingutah.com

Requesting Company or Requestors:

Name:
Phone:
Fax:
Email Address:
Address:

Borrower Information:

Name:
Phone:
Address:

Mortgage Information

Property Address:

southeast corner of U-56 + Cross Hollow Rd
B-1341

Year Built / Square Feet / No. Units / County:

Sales Price / Date:

Property Type: Industrial
Occupancy Status: vacant
Loan Type:
Lien Position:
Loan Purpose:
Loan Program:

Loan Related Parties

Lender:
Phone:
Email:

LENDERS/BORROWERS SIGNATURES:

Seller's Agent:
Phone:
Email:

Title Company:
Phone:
Email:

Buyers Agent:
Phone:
Email:

Appraisal Information

Date Ordered:

Estimated Close Date:

Comments:

(Signer agrees to pay appraisal fee within 60 days of finished report, unless otherwise arranged)

Appraisal Type:

Entry/Access: Name & Number

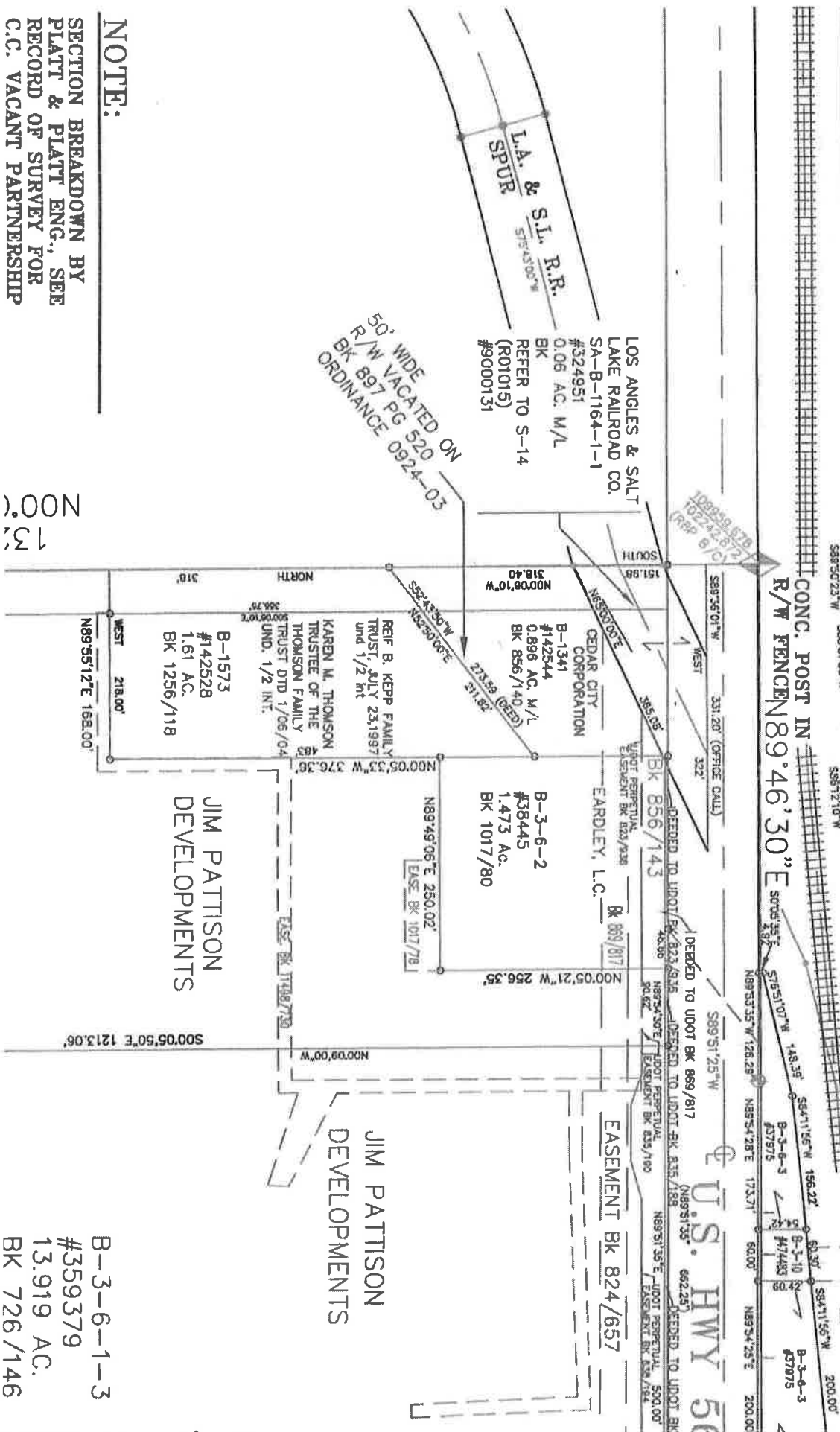

REQUESTER'S SIGNATURE'S REQUIRED

11 April '14
DATE

B-3-6-3-1
#37991

SW 1/4 C IRON CO Section-9, Township

CONC. POST IN
R/W FENCE N89°46'30"E S00°5'18"E



NOTE:

13
NOO

17-3-14

#431285

#431194

1322.775'
N00°07'06"W

N68°15'33"W

3

85.32'

B-207-2
4451681

CEDAR CITY COUNCIL
AGENDA ITEMS V - 11
DECISION PAPER

TO: Mayor and City Council

FROM: Paul Bittmenn

DATE: August 4, 2014

SUBJECT: Impact fees

DISCUSSION:

Cedar City charges impact fees. The City's most recent study was done in 2011. When any City in the State of Utah imposes impact fees the maximum fee a City may impose is limited by state law to the maximum fee justified by the individual City's impact fee study.

When the 2011 Impact fee study was adopted the City chose to adopt the maximum fees justified by the study and then for a one (1) year period reduce the fees across the board by 15%. The 15% reduction was scheduled to sunset in one (1) year. In 2012 prior to the one (1) year anniversary of the 15% reduction the City Council passed an ordinance to extend the 15% reduction until November 5th, 2014. In the ordinance extending the 15% impact fee reduction the council found, "... that given the current economic conditions that it is in the best interests of the health, safety, welfare, and economy of Cedar City to amend the impact fee ordinance... and extend the temporary impact fee reduction", see Cedar City Ordinance 1010-12.

With the expiration of the 15% reduction scheduled for this November this matter is before you to discuss options related to the impact fees. If the Council does nothing the 15% reduction will expire on November 5th and the rates will automatically revert to the maximum rates justified by the impact fee study. If the Council thinks the reasons for the 15% reduction are still of concern, or if for other reasons the Council would like to continue the 15% reduction that is ok. Staff will prepare an appropriate ordinance for your consideration. The ordinance needs to be approved by the end of the month because there is a provision in state law delaying the effective date of an ordinance imposing impact fees for 60 days.

